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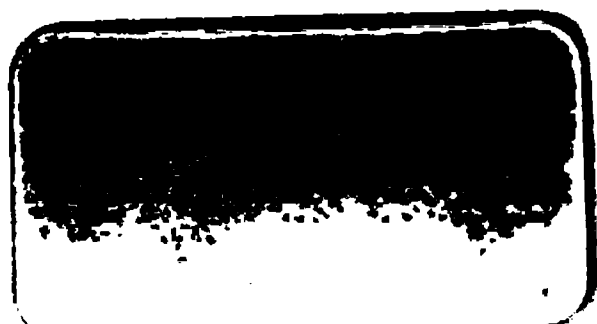
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THE HISTORY
OF THE
PARLIAMENT OF ENGLAND,

WHICH BEGAN
NOVEMBER 3, 1640;

WITH
A SHORT AND NECESSARY VIEW OF SOME
PRECEDENT YEARS.

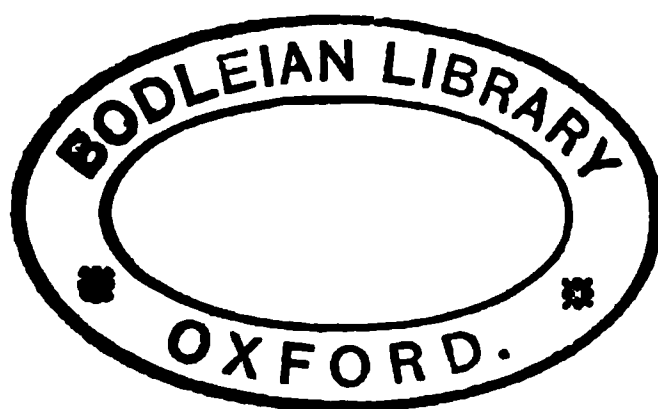
WRITTEN BY THOMAS MAY, Esq.
SECRETARY FOR THE PARLIAMENT.

TEMPORA MUTANTUR.
MUTANTUR HOMINES.
VERITAS EADEM MANET.

A NEW EDITION.

OXFORD:
AT THE UNIVERSITY PRESS.
M.DCCC.LIV.

Clar. Press
31. a. 61.



I have read over the first part of this History, contained in three books, an impartial truth; and judge it fit for public view by the printing.

JO. LANGLEY.

MAY 7, 1647. .

ADVERTISEMENT.

THE History of the Parliament of England by Thomas May Esq. has been printed twice previously to the present edition. The first edition appeared in small folio in the year 1647. The second was published in the year 1812 in 4to, under the superintendence of Baron Maseres. Upon comparing the two editions Baron Maseres was found to have altered the phraseology in very numerous places without any warrant, which variations have been noticed and enclosed between [] as far as p. 111 of the present edition. After that page the original edition has been strictly followed, disregarding altogether the Baron's interpolations.

The papers at the end which were appended by Baron Maseres to his edition have also been compared with those contained in Husbands' Collection, (which was published at London with the title of *Remonstrances &c. &c. between the King and Parliament from Dec. 1641 to March 1643*. London, 1643. 4to.) and corrected thereby.

NOVEMBER 1853.

PREFACE

TO THE EDITION OF 1812.

THE following history of the parliament of England, which begun on the 3rd day of November in the year 1640, and which has since been usually distinguished by the name of *the long parliament*, was written by Thomas May, esquire, a gentleman of great genius and literary attainments, who flourished in the reign of king Charles the First. He was born at Mayfield, in the county of Sussex, in the year 1595, and was the eldest son of sir Thomas May, a knight, who lived at that place, and who seems to have been possessed of a competent estate in that neighbourhood, which was sufficient to maintain him in the condition of an independent gentleman; as it does not appear that he was engaged in any of the professions. And the liberal education which he gave his eldest son, our author, seems to confirm this supposition of the independence of sir Thomas May's circumstances: for, after having sent him to some good school in the neighbourhood of Mayfield, in the early part of his youth, (in which he made an uncommon progress in the acquisition of the learned languages,) sir Thomas May entered him at Sidney-Sussex college, in the university of Cambridge, in the rank of a fellow commoner, which is the upper class of students there, into which the eldest sons of the affluent and independent gentlemen of England are usually admitted. And here our author continued his classical studies with great assiduity and success, and laid in a copious stock of that elegant literature and familiar acquaintance with the best poets and historians of antiquity, for which he was afterwards so much celebrated. And in the year 1612 he took the degree of bachelor of arts,

being then only seventeen years of age ; it being the custom in those days to remove young scholars from grammar schools to the two universities of Oxford and Cambridge about three years earlier than is done at present, or for the last sixty or seventy years. But, after taking the degree of bachelor of arts in the university of Cambridge, it does not appear that our author ever took any other degree there.

From the year 1612 (when he was seventeen years old) to the year 1615, (when he was twenty years of age,) it does not appear where Mr. May resided : though it seems reasonable to suppose that it was partly at Cambridge and partly with his father in Sussex. But in the month of August 1615 he was admitted a student of the law in the society of Gray's Inn. And from that time he resided chiefly either at that inn of court, or in some other part of London, for more than twenty years ; during which time he devoted himself much to the study and cultivation of poetry, and, in consequence of his success in that elegant art, became familiarly acquainted with the most eminent courtiers and wits of those times, and particularly with sir Kenelm Digby, sir Richard Fanshaw, sir John Suckling, sir Aston Cokaine, Mr. Thomas Carew, (one of the gentlemen of the privy-chamber to king Charles,) and Endymion Porter, (one of the gentlemen of his bedchamber,) besides Ben Johnson, (the celebrated dramatic poet,) and many other persons of higher quality, who were poets themselves, and lovers of poetry in others, amongst whom they admitted Mr. May to have a strong claim to be distinguished. And it was in the course of these twenty years (from the year 1615 to the year 1635) that Mr. May made an excellent translation in verse of Lucan's noble historical poem on the civil war of Rome, between Pompey the Great and Julius Cæsar, entitled *Pharsalia* ; which translation was first published in the year 1627, or the second year of the reign of king Charles the First, and when Mr. May was thirty-two years old ; and was published a second time in the year 1630, or when Mr. May was thirty-five years old ; and was then accompanied with a continuation of the poem in seven additional books, in English verse, (like the translation of Lucan's work,) which carry the history of that destructive civil war to the death of Julius Cæsar in the Capitol, by the hands of

several senators of Rome, who had conspired against him ; who, for the most part, (or with the exception of only Marcus Brutus and Caius Cassius, and perhaps two or three persons more,) were officers of his own army, but yet thought it to be their duty to put him to death, when they found that he was resolved to terminate the long series of victories which they had helped him to gain, with a total suppression of the liberties of their country. With this grand and awful event, (which afforded an example of the punishment due to ambitious men, who employ their great talents to the destruction of public liberty), Mr. May thought the poem ought to end : and it may reasonably be supposed that he thought that Lucan himself would have closed his poem with the description of that catastrophe, if he had lived to bring it to a conclusion.

And after having published this continuation of Lucan's poem, in seven additional books in English verse, in the year 1630, he translated it into Latin verse, and caused the translation to be printed at Leyden in Holland, where it was much admired by learned foreigners, and thought to be not inferior, in the purity of the Latin and the harmony of the verses, to the verses of Lucan himself.

This translation of Lucan's *Pharsalia*, with the continuation of it in English verse, and the translation of the said continuation into Latin verse, are the principal works that have contributed to the reputation of Mr. May as a poet. But they are not the only ones. For he also distinguished himself as a dramatic writer, by writing five plays, two comedies and three tragedies. The first of his comedies was entitled *The Heir*, and was acted at London in the reign of king James the First, in the year 1620, when our author was but twenty-five years old ; and it was afterwards published in the year 1633 ; and it is spoken of by the writers of those times as an excellent performance. And his other comedy, which was called *The Old Couple*, is thought to have been written about the same time as the former, and was also brought upon the stage at London, and well received by the public, and it is said to have been esteemed but little inferior to his former comedy. His three tragedies were entitled *Cleopatra*, queen of Egypt ; *Agrippina*, empress of Rome ; and *Antigone*, the Theban princess : but they seem to have been less admired

than his comedies. And he distinguished himself by other elegant publications, both in verse and prose, before the beginning of the long parliament, of which he wrote the following history. He lived somewhat above a year after the death of king Charles the First, in January 1648-49, and died, almost suddenly, in the year 1650, in the fifty-fifth or fifty-sixth year of his age.

More particulars concerning the life and writings of this eminent author may be seen under the article of his name, in the *Biographia Britannica*. But those that have been here set forth are sufficient to show that he must have had excellent opportunities of knowing the several public events that happened throughout the whole reign of king Charles the First, which began in the year 1625, (when Mr. May was thirty years of age,) and ended in the year 1648-49, when Mr. May was fifty-four years old. And therefore Mr. May seems to have been admirably well fitted to become the historian of the transactions of this whole reign, and especially of the proceedings of the three first years of this parliament, which met in November 1640, if he possessed the grand requisite of a good historian, which is impartiality, or the love of truth. Now that he had this important requisite seems to be highly probable from the following considerations :

As his history of this parliament was published so early as the year 1647, that is, less than seven years after the first meeting of it in November 1640, there must have been great numbers of persons living at the time of its publication, who had been witnesses of the several transactions recorded in it, and perfectly acquainted with all the circumstances belonging to them ; and many of these persons would no doubt have been ready enough to contradict the accounts he had given of them in this history, and to point out to the public the particular points in which he had misrepresented them, if those accounts had not been faithful. And yet I do not find that any writers of that time, from the month of May 1647, when this history was published, to the month of May 1660, when king Charles the Second was restored to his father's throne, have ever contested the truth of the facts related in this history. And therefore it seems reasonable to conclude that those facts are true.

And, further, we may observe that the facts related in this history are found to agree with the accounts given of them by Mr. Whitelock in his Memorials, and by others of the most sedate and exact historical writers of those times: which is an additional ground for supposing him to have been a very impartial, as well as a very well informed and judicious relater of the proceedings of that important period of our history.

And, lastly, this History of the Parliament almost speaks for itself in support of the impartiality of its author. For it is written in so calm and temperate a style, is so free from invective and animosity, and has every where such an air of candour and moderation, that it seems to be almost impossible for a reader of it not to suppose it to be impartial.

And, accordingly, this is the character that has generally been allowed to belong to this work, by the most diligent and critical inquirers into the English history: of which I will here give two examples by citing the opinions of two very eminent persons to this purpose, namely, the late very learned Dr. Warburton, bishop of Gloucester, and the late very great minister of state, in the three last years of the reign of king George the Second, Mr. William Pitt, who was afterwards created earl of Chatham.

Dr. Warburton, bishop of Gloucester, in his familiar letters to his intimate friend Dr. Hurd, (who was afterwards bishop of Worcester,) has two very remarkable passages relating to this work of Mr. May, which I will here transcribe from the collection of those letters which was published a few years ago, soon after the death of Dr. Hurd.

The first of these passages occurs in a letter of bishop Warburton to Dr. Hurd, dated on the 30th day of June, in the year 1753, and is in these words:

As to the History of the Long Parliament, the principal authors are, May's History of the Parliament, Clarendon, Whitelock, Ludlow, Rushworth's Collections, and Walker's History of Independency. The first is an extraordinary performance, little known; written with great temper, good sense, and spirit; and has the qualities of a regular composition.

The second passage is in a letter to Dr. Hurd, dated on the 16th of August of the same year 1753, and is in these words:

May's History of the Parliament is a just composition, according to the rules of history. It is written with much judgment, penetration, manliness, and spirit; and with a candour that will greatly increase your esteem, when you understand that he wrote by the order of his masters, the parliament.

The opinion of the great Mr. William Pitt (afterwards earl of Chatham) occurs in a letter to his nephew, Thomas Pitt, esquire, (his elder brother's son,) who was then a young man and a student at Clare-hall, in the university of Cambridge, and who was afterwards created lord Camelford; which letter was dated on the 5th of September, 1754. The passage containing it is in these words:

I desired you, some time since, to read Lord Clarendon's History of the Civil Wars. I have lately read a much honester and more instructive book, of the same period of history. It is the History of the Parliament, by Thomas May, esquire. I will send it to you as soon as you return to Cambridge.

These passages of the letters of these two very eminent persons are strong testimonies in favour of this excellent history, of which, however, I cannot find that there has ever been published any second edition: and the copies of this first edition of it (which is printed in a thin folio volume in a very large type) are now grown very scarce. I therefore hope that this new edition of it, in the more commodious size of a quarto volume, and with the addition of short abstracts of its contents, printed in a smaller character in the margins of the pages, (which, though it is a practice that is now grown much out of fashion, appears to me a most important article for the convenience of the reader,) will be acceptable to the public^a.

At the end of this history I have printed an Appendix to it, which contains all the declarations and votes and messages of both houses of parliament to the king, with the king's answers to them, from the month of November 1641, (when the king had returned from Scotland to London,) to the 7th of the following month of March 1641-42, when he had refused to reside at Westminster, near the parliament, (in consequence of some popular tumults that had arisen

^a In the present edition the abstracts are printed at the head of the page.

there, from which he apprehended danger to his person,) and was retiring to the city of York, to raise a body of troops there for his defence, under the name of a *life-guard*; which measure was soon after followed by an open civil war. Amongst these parliamentary papers will be found, first, the famous grand remonstrance of the house of commons, presented to the king in December 1641, which contains a just picture of the several grievances of the nation, arising from the king's misgovernment, from the beginning of his reign, and the king's answer to it; and, secondly, an account of the king's violent entry into the house of commons on the 4th of January 1641-42, attended by a body of 300 armed men, to seize the persons of five of the most eminent members of the house, (Mr. Denzil Hollis, sir Arthur Haslerig, Mr. Pym, Mr. Hambden, and Mr. Strode,) in order to have them tried for high treason for what they had said and done as members of that house; together with an account of the altercation that took place between the king and the parliament in consequence of that violent measure; and, thirdly, an account of several informations that had been given to the parliament, of licenses that had been granted, under the king's hand, to several Irish officers of the popish religion, (some of whom had been bred in the wars in Flanders and Holland, in the service of the king of Spain,) to go over to Ireland, where it was much to be feared that they would engage in the Irish rebellion; and some of them had actually done so: from which information the parliament could not but entertain some suspicions that the king, though he might not have at first authorized and encouraged the Irish papists to enter into this rebellion, as those rebels declared that he had done, yet now that the rebellion was on foot was unwilling that it should be speedily suppressed, and was in hopes that he should receive some assistance from those rebels against the English parliament. These informations received by the parliament, and set forth in some of the latter papers in this Appendix, are very positive and particular, and seem fully sufficient to justify the suspicions entertained by the parliament of the king's secret sentiments on this subject, and did certainly contribute very much to increase the jealousy they had conceived of his design to revoke all his late concessions,

and to resume his former absolute authority, by any means that he could employ for that purpose. And if that horrid Irish rebellion had not happened at the time it did, and Ireland had continued for a year or two in the same state of peace and tranquillity in which it was when the king went to Scotland in August 1641, to meet his parliament there, and settle the affairs of that kingdom both in church and state, (which he did to the thorough satisfaction of his Scottish subjects,) it seems probable that, upon his return to London in the following month of November 1641, he would have complied in like manner with his English parliament, in all the further measures they would have proposed to him, for the complete correction of the former abuses in the government, both in church and state, and for the rendering all these corrections and concessions permanent after the dissolution of the present parliament, so as to put them out of all danger of being rescinded or revoked, either by the king himself or any of his successors to the crown. And if this opinion is well founded, it will follow that that horrid rebellion in Ireland must be considered as having been the cause, not only of all the bloodshed and robbery and desolation which it immediately spread over that island, but also of all the misery in which England was overwhelmed during the whole of the English civil war, or for the space of more than nine years, to wit, from the summer of the year 1642, when it begun, to the end of the year 1651, when (after the great victory gained at Worcester, by the army of the commonwealth of England, under the command of Oliver Cromwell, over the Scottish army, commanded by king Charles the Second) the whole island of Great Britain was restored to peace.

It appears from the last paragraph of this History, in page 228 of this edition, that Mr. May had intended to publish a continuation of it, in which, as he informs us, he proposed to give a large account of the cessation of arms made by the king with the Irish rebels, (soon after the relief of the city of Gloucester by the earl of Essex in the summer of the year 1643,) and of the great victories which small numbers of the English forces had obtained over great multitudes of those Irish rebels, before the time of that cessation ;

as also of the covenant, which the English parliament, and that part of the nation that adhered to it, entered into, about this time, with their brethren of Scotland, for the maintenance of the religion and liberties of the two kingdoms. But this design Mr. May did not carry into execution, though the reason of his declining to do so is not apparent. This omission is much to be regretted; as a clear and faithful account of these two subjects, the state of Ireland, after the massacre of the protestants, on the 23d of October 1641, to the cessation of arms made with them, by the king's command, in the autumn of 1643, and the treaty of the covenant between the parliaments of England and Scotland entered into about the same time, given us by the impartial pen of this intelligent writer, would have afforded great satisfaction to his readers. But our loss on this occasion may be in some degree repaired, with respect to the state of Ireland during those two years, or at least during the first part of them, by having recourse to the excellent History of the Irish Rebellion and Massacre, in October 1643, written by sir John Temple, who was master of the rolls in Ireland, and a member of the king's privy council in Dublin at the very time of its breaking out, and took a zealous and active part in the measures that were immediately employed for the preservation of that important city. This account of that horrid event is universally allowed to be perfectly true and authentic, and is indeed made up, in a great degree, of the depositions of several persons who were eyewitnesses of the various assaults and murders and robberies of the poor protestants, by their perfidious popish neighbours, with whom they had been living in the most friendly and unsuspecting familiarity for almost forty years. Its authenticity is therefore above all suspicion; and it was published before Mr. May wrote this History of the Parliament: for it is mentioned by him in the 121st page of this volume, with the greatest approbation, where he calls it "the faithful relation of that rebellion by a noble gentleman, whose place in that kingdom gave him the means to know it;" and he declares that he had partly collected from it what he himself had said in this History concerning that shocking event. It therefore seems probable, that what is related on this subject by sir John Temple, in his history of this rebellion, will

contain much of the same matter which would have been related by Mr. May concerning it, if he had executed his first design of continuing his history to a later period : and therefore I think that the readers of this work of Mr. May would do well to peruse sir John Temple's History of the Irish Rebellion after it, as a proper sequel, or supplement, to it. The only edition of sir John Temple's work that I have seen was printed in the year 1746 ; and the copies of it, I am informed, are grown somewhat scarce. It would therefore be probably an acceptable service to the lovers of truth in the history of their country, to publish another edition of it. For the horrid event, of which it gives a faithful relation, ought never to be forgot.

FRANCIS MASERES.

INNER TEMPLE,
Nov. 28, 1811.

THE AUTHOR'S PREFACE.

THE use of history, and the just rules for composure of it, have been so well and fully described heretofore by judicious writers, that it were lost labour, and a needless extension of the present work, to insist, by way of introduction, upon either of them. I could rather wish my abilities were such, as that the reader (to whose judgment it is left) might find those rules to have been observed in the narration itself, instead of being set forth to him in the preface by a vain anticipation.

I will only profess to follow that one rule, Truth, to which all the rest (like the rest of moral virtues to that of justice) may be reduced; against which there are many ways, besides plain falsehood, wherein a writer may offend. Some historians, who seem to abhor direct falsehood, have, notwithstanding, dressed truth in such improper vestments, as to seem to have brought her forth to act the same part that falsehood would; and to have taught her, by rhetorical disguises, partial concealments and invective expressions, instead of informing, to seduce a reader, and carry the judgment of posterity after that bias which themselves have made. It was the opinion of a learned bishop of England, not long ago deceased, that the Annals of cardinal Baronius did more wound the protestant cause than the controversies of Bellarmine: and it may well be true. For against the unexpected stroke of partial history the ward is not so ready, as against that polemic writing, in which hostility is professed with open face.

This fault I have endeavoured to avoid: but it is my misfortune to undertake a subject that is of such a nature that really to avoid partiality in treating it is not very easy: but to escape the suspicion or censure of falling into it, is almost impossible for the clearest integrity that ever wrote. Other writers, as well as myself, will, I suppose, undertake to handle this subject: and because none of them, perchance, may give

perfect satisfaction, I shall, in the behalf of us all, entreat the reader, that, in his censure of our several productions, he would deal with the writings of men as with mankind itself, call that the best which is the least bad.

The subject of this work is a civil war; a war indeed as much more than civil, and as full of miracle, both in the causes and effects of it, as was ever observed in any age; a war as cruel as unnatural, that has produced as much rage of swords, as much bitterness of pens, both public and private, as was ever known; and has divided the understandings of men, as well as their affections, in so high a degree, that scarce could any virtue gain due applause, any reason give satisfaction, or any relation obtain credit, unless amongst men of the same side. It were therefore a presumptuous madness to think that this poor and weak discourse, which can deserve no applause from either side, should obtain from both so much as pardon; or that those persons should agree in the judgment they will form of it who could never agree in any thing else.

I cannot therefore be so stupid as not to be fully sensible of the difficulty of the task imposed on me, or the great envy which attends it; which other men who have written histories, upon far less occasion, have discoursed of at large in their prefaces. And Tacitus himself, complaining of those ill times which were the unhappy subject of his *Annals*, (though he wrote not in the time of the same princes under whom those things were acted,) yet (because the families of many men who had then been ignominious were yet in being) could not but discourse how much happier those writers had been, who had taken more ancient and prosperous times for their argument; such (as he there expresses it) as those times in which the great and glorious actions of the old Romans, their honourable achievements, and exemplary virtues, are recorded.

And I could have wished more than my life (being myself inconsiderable) that, for the sake of the public, my theme could rather have been the prosperity of these nations, the honour and happiness of this king, and such a blessed condition of both, as might have reached all the ends for which government was first ordained in the world, than the description of shipwrecks, ruins, and desolations. Yet these things,

truly recorded and observed, may be of good use, and may benefit posterity in divers kinds. For though the present actions, or rather sufferings, of these (once happy) nations, are of so high a mark and consideration, as might, perchance, throw themselves into the knowledge of posterity by tradition and the weight of their own fame, yet it may much conduce to the benefit that may arise from that knowledge, to have the true causes, original, and growth of them represented by an honest pen.

For the truth of this plain and naked discourse, which is here presented to the public view, containing a brief narration of those distractions which have fallen amongst us during the sitting of this present parliament^a, as also some passages and visible actions of the former government, (whether probably conducing to these present calamities or not, of which let the reader judge,) I appeal only to the memory of any Englishman, whose years have been enough to make him know the actions that were done, and whose conversation has been enough public to let him hear the common voice and discourses of people upon those actions; to his memory, I say, do I appeal, whether such actions were not done and such judgments made upon them as are here related. In which, perchance, some readers may be put in mind of their own thoughts heretofore, which thoughts have since, like Nebuchadnezzar's dream, departed from them. An English gentleman, who went to travel when this parliament was called, and returned when these differences were grown among us, hearing what discourses were daily made, affirmed, that the parliament of England (in his opinion) was more misunderstood in England than at Rome; and that there was a greater need to remind our own countrymen than to inform strangers of what was past; so much, said he, have they seemed to forget both the things themselves and their own former notions concerning them^b.

^a That is, from November 3rd, A. D. 1640, to September 27th, 1643, at which this history closes.

^b The meaning of this passage seems to be, "that the English noblemen and gentlemen who now sided with the king against the parliament, seemed to have forgot the sentiments of disgust and indignation against

But where war continues, people are enforced to make their residence in several quarters; and therefore several, according to the places where they converse, must their information be concerning the condition and state of things. From whence arises not only a variety, but a great discrepancy for the most part, in the writings of those who record the passages of such times. And therefore it has seldom happened, but that, in such times of calamity and war, historians have much dissented from each other. Franciscus Haræus compiled annals of the bloody and fierce wars in the Netherlands, when some of those provinces fell from the obedience of Philip the Second, king of Spain: which business he relates in such a way, as must, in probability, lead a reader to believe that the king and his officers were altogether innocent, and the people of those countries the only causers of their own calamity. Meteranus also wrote the history of those very times, which whoso reads must needs make a contrary censure concerning the occasion of that war. The like discrepancy hath been found in historians of all ages and nations, and therefore ought not to be much wondered at, if it should now happen.

But that which, of all other subjects, is most likely to be differently related, (because informations will not agree in such a distance,) is concerning the actions of war and soldiery; and in the time of this war, it is a thing of extreme difficulty (I might say of impossibility) for those of one party to be truly informed of all the counsels, or the very performances and actions, of commanders and soldiers on the other side. How much valour the English nation on both sides have been guilty of in this unnatural war, the world must needs know in the general fame. But for particulars, how much worth, vir-

the tyrannical government of the king, both in civil and ecclesiastical matters, which had been entertained by them, and continually expressed in their free and private conversations, before the meeting of the parliament, and were now thwarting the parliament in its wise and vigorous endeavours to restrain the king's power in such a manner as to prevent his revoking all his late concessions, and returning to the exercise of his former arbitrary authority, to which he was justly thought to be still secretly attached.

tue, and courage, some particular lords, gentlemen, and others have showed, unless both sides do write, will never perfectly be known. My residence hath been, during these wars, in the quarters and under the protection of the parliament; and whatsoever is briefly related of the soldiery, being toward the end of this book, is according to that light which I discerned there. For whatsoever I have missed concerning the other party, I can make no other apology than such as Meteranus (whom I named before) doth in the preface to his history, *De Belgicis tumultibus*. Whose words are thus: *Quod plura de reformatorum, et patriæ defensorum, quam de partis adversæ rebus gestis exposuerim; mirum haudquaquam est: quoniam plus commercii et familiaritatis mihi cum ipsis, et major indagandi opportunitas, fuit. Si pars adversa idem tali probitate præstiterit et ediderit; posteritas gesta omnia legere, et liquido cognoscere, magno cum fructu poterit.* In like manner may I aver, that if in this discourse more particulars are set down concerning the actions of those men who defended the parliament than of those that warred against it, it was because my conversation gave me more light on that side; to whom, as I have endeavoured to give no more than what is due, so I have cast no blemishes on the other, nor bestowed any more characters than what the truth of story must require. If those that write on the other side will use the same candour, there is no fear but that posterity may receive a full information concerning the unhappy distractions of these kingdoms.

This I must add, that to inform the world of the right nature, causes, and growth of these distractions, it will require that the discourse begin from precedent times; which I shall endeavour to deduce down to the present time with as much brevity as the necessity of unfolding truth can possibly admit.

Neither is it needful to begin the story from times of any great distance, or to mention the government of our most ancient princes, but from that prince^d (fresh in the memory

^d Queen Elizabeth, who died in the year 1603, only thirty-seven years before the meeting of the parliament which is the subject of this history, which was in November 1640.

of some yet living) who first established the reformed religion in this kingdom, and, according to that, settled a new interest in the state ; which it was most behooveful and requisite for her successors to follow, and much conducing, besides the glory of Almighty God, to their own honour, power, and greatness.

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THE HISTORY

OF THE

PARLIAMENT OF ENGLAND.

BOOK I.

CHAPTER I.

Wherein is a short mention of queen Elizabeth, king James, and the beginning of king Charles his reign; his two first parliaments. Of the war with Spain and France. The death of the duke of Buckingham. And the third parliament of king Charles.

QUEEN ELIZABETH, of glorious memory, together with that great stock of wealth and honour which her prudent and just government had brought to the English nation, had enriched them besides with a greater treasure, (which we may justly account the cause of all the rest,) religion reformed from popish superstition.

That reformation engaged the queen in a new interest of state, to side with the protestants against those potent monarchs of the other religion, which seemed at the beginning as much danger and disadvantage to her, as it proved in conclusion security and honour; so impossible it is for any disadvantage to prevail over them that help the Lord against the mighty.

That storm from France, which so much threatened the weak beginnings of her reign, was suddenly blown over by the death of Henry the Second, and, some few months after, of his son Francis, who had married the queen of Scotland: the danger which remained greatest was from Spain, where Philip the Second then reigned, a prince not greater in dominion, treasure, and armies, than deeply engaged against the protestant religion, by the instigation and assistance of the Jesuits, an order which in the age before had been highly countenanced by pope Paul the Third, in opposition to the gospel doctrine, that then began to spread apace in Germany and other parts.

The whole order of Jesuits (as endeavouring to set up one temporal kingdom of Christendom suitable to the papal hierarchy) applied their service altogether to the monarchy of Spain, as being then far the greatest in Europe (and fittest for their purpose) by the late uniting of so many kingdoms and duchies under the person of Charles the emperor, who by a fortunate birthright inherited, together with Castile and Arragon, and all the great acquisitions of his grandfather Ferdinand in Italy and the West Indies, the rich and useful patrimony of his father Philip, Burgundy and the Netherlands. All these he had left entirely to his son Philip, who to so large a territory had made that strong addition of the kingdom of Portugal, and might seem an enemy too mighty for England and all the protestants of Europe to oppose.

But queen Elizabeth had woven the interest of her own state so inseparably into the cause of religion itself, that it was hard to overthrow one without the ruin of the other. And God, who had given her so much grace and courage as to rely wholly upon him, did, with that almighty hand, not only hold her up

from sinking, but lift her above the heads of all her enemies.

By what degrees and means she achieved the great actions of her reign, and brought so much prosperity to her nation, it is not the scope of this discourse to relate at large, (for her history is not the work in hand,) but only in brief to declare that, before her death, she was the happy instrument of God to promote the protestant religion in all parts. She curbed the Spanish greatness by supporting France from ruin, to give some balance to the other; as she preserved Scotland from being swallowed up by the French before. She protected the *Hollanders* against him, vanquished his armies both by land and sea, with many other such things as might seem too much to be the achievements of one reign. And, last of all, she reduced Ireland wholly to obedience, notwithstanding all the subtle machinations of Spain, and open assistance given in arms to her Irish rebels. All which she accomplished by the justice and prudence of her government, by making the right use of her subjects' hearts, hands, and purses, in a parliamentary way; as also securing her own kingdom by strengthening the hands of protestants abroad; insomuch as she stood at last above the reach of any enemy by open war; and protected by God, though often attempted by domestic treasons and assassinations, till in the end she died in a good old age, leaving to her successor, king James, the kingdom of England in an happier condition than ever it was, the kingdom of Ireland wholly subdued and reduced, to reap for himself the harvest of all her labour and expense; and nothing to do for it, but to propagate the true faith in that kingdom, which she, prevented by death, could not perform; and was, in probability, an easy task for king James at that time;

much conducing, besides the honour of God, to his own temporal strength and greatness, if he had only gone fairly on in that way which queen Elizabeth had made plain for him.

The prosperity of England seemed then at the height, or ἀκμή; and it pleases God that states many times shall decline from their happiness without any apparent signs to us, or reasons that we can give, as a heathen complains:

*O faciles dare summa deos, eademque tueri
Difficiles!* LUCAN. I. 540.

How easy are the gods to raise states high,
But not to keep them so!

These things have made some high reaching writers impute the raising and declination of kingdoms and commonwealths to certain aspects of heavenly constellations, to conjunctions and oppositions of planets, and various eclipses of celestial luminaries; others, to an hidden strength and secret efficacy of numbers themselves; and most men to the perpetual rotation of fortune: but the judgments of God in those things are past our finding out; and they are too wise who are not content sometimes to wonder.

For king James, the successor to queen Elizabeth, was a wise and learned prince, of disposition merciful and gracious, excellently grounded in that religion which he professed, as the world may find by his extant writings; a prince of whom England conceived wonderful hope, and received with great joy and triumph. But he did not begin where his predecessor left, proceeding rather in a contrary way: what the reasons of it were, I will not at all presume to deliver my opinion, though some have been bold to write and publish of late years, that it was fear for his own person that made him to temporize with Rome, consider-

ing the boldness of Jesuitical assassins : others, more candidly, conceived it might be his great desire of peace and union with other princes, though he might err in the means of attaining that end ; for he was by nature a great seeker of peace and abhorrer of bloodshed, according to that motto which he ever used, *Beati pacifici*. I cannot search into men's thoughts, but only relate the actions which appeared.

King James, at the beginning of his reign, made a peace with Spain, which was brought very low by queen Elizabeth, and had been nearer to ruin in all probability had she lived a few years longer ; the estates of the united provinces of the Netherlands, those useful confederates to England, began to be despised by the English court, under a vain shadow instead of a reason, " that they were an ill example for a monarch to cherish." Then began secret treaties to pass betwixt Rome and the court of England ; care to be taken about reconciliation of religions ; the rigour of penal laws against the papists (notwithstanding that odious plot of the gunpowder treason) was abated ; the pomp of prelacy and multitude of ceremonies increased daily in the church of England, and according to that were all civil affairs managed both at home and abroad.

Neither was it easy for the king to turn himself out of that way, when he was once entered into it ; so that at last the papists began by degrees to be admitted nearer to him in service and conversation. Exceeding desirous he then was to match the prince his son to the infanta of Spain ; about which many and long treaties passed, wherein not only the Spaniard, but the pope, made many present advantages of the king's earnest desires, and many ways deluded him, as it appeared plainly by his own letters to his ambassadors there, since found and published.

Thus was the king by degrees brought, not only to forsake, but to oppose, his own interest both in civil and religious affairs, which was most unhappily seen in that cause, (as the duke of Rohan observed,) wherein, besides the interest of all protestants and the honour of his nation, the estate and livelihood of his own children were at the height concerned, the palatinate business.

From hence flowed a further mischief ; for the king (being loath, perchance, that the whole people should take notice of those ways in which he trod) grew extremely disaffected to parliaments, calling them for nothing but to supply his expenses, dissolving them when they began to meddle with state affairs, and divers times imprisoning the members for speeches made in parliament, against the fundamental privileges of that high court.

Parliaments being thus despised and abused, projects against the laws were found out to supply the king's expenses, which were not small; and the king (whether to avoid the envy of those things or the trouble of them) did in a manner put off all business of government from himself into the hands of a young favourite, the duke of Buckingham, whom he had raised, from a knight's fourth son, to that great height, and intrusted with the chief offices of the kingdom ; besides the great power which he had by that extraordinary favour of conferring all places and preferments both in church and state.

This duke, not long before the death of king James, was grown into extraordinary favour and entireness with the prince, whom he afterward swayed no less than he had before his father ; like an unhappy vapour exhaled from the earth to so great an height, as to cloud not only the rising but the setting sun.

5 King Charles, with great hopes and expectation of the people, and no less high expressions of love and duty from all in general, began his reign on the 27th of March 1624. And indeed that love which the people bare to his person had been before testified whilst he was yet prince, at his return from Spain, though the journey itself had not been pleasing to the kingdom; for when the people saw him arrived in safety, there needed no public edict for thanksgiving or joy; every society and private family (as if the hearts of all had been in one) did voluntarily assemble themselves together, praising God, with singing of psalms, with joyful feasting, and charity to the poor; insomuch that, I suppose, the like consent, without any interposing authority, hath not been often known.

The same affections followed him to his throne, the same hopes and fair presages of his future government, whilst they considered the temperance of his youth, how clear he had lived from personal vice, being grown to the age of twenty-three, how untainted of those licentious extravagances which unto that age and fortune are not only incident, but almost thought excusable.

But some men suspended their hopes, as doubting what to find of a prince so much and so long reserved; for he had never declared himself of any faction, or scarce interposed in any state affairs, though some things had been managed in his father's reign with much detriment to his own present and future fortunes. Yet that by the people in general was well censured, as an effect of his piety and obedience to the king his father, and happy presages [were] gathered from it, "that so good an obeyer would prove a just ruler."

They wondered also to see him suddenly linked in such an entire friendship with the duke of Buckingham;

for extraordinary favourites do usually eclipse and much depress the heir apparent of a crown, or else they are conceived so to do, and upon that reason hated and ruined by the succeeding prince; in which kind all ancient and modern stories are full of examples.

In the beginning of king Charles his reign, a parliament was called, and adjourned to Oxford, (the plague raging extremely at London,) where the duke of Buckingham was highly questioned, but by the king (not without the grief and sad presage of many people, that private affections would too much prevail in him against the public) he was protected against the parliament, which for that only purpose was dissolved, after two subsidies had been given, and before the kingdom received relief in any one grievance; as is expressed in the first and general Remonstrance^a of this present parliament, where many other unhappy passages of those times are briefly touched; as, that the king, immediately after the dissolution of that parliament, contrived a war against Spain, in which the design was unhappily laid, and contrary to the advice which at that time had been given by wise men, who persuaded him to invade the West Indies; a way, no doubt, far more easy and hopeful for England to prevail against Spain than any other: instead of that, the king, with great expense of treasure, raised an army and fleet to assault Cales, the duke of Buckingham bearing the title both of admiral and general, though he went not himself in person. But the matter was so ordered that

^a This Remonstrance was passed by the house of commons on Wednesday the 15th of December, 1641. It is entitled, *A remonstrance of the state of the kingdom*, and is expressed in clear and temperate language, and has a great appearance of being true. See Husbands's Collection of all Remonstrances, Declarations, &c. of this Parliament, published in the year 1642.

the expedition proved altogether successful, and as dishonourable as expensive.

They complained likewise of another design, (which indeed was much lamented by the people of England in general,) about that time put in practice, a thing destructive to the highest interest of the nation, the maintenance of [the] protestant religion: a fleet of English ships were set forth, and delivered over to the French, by whose strength all the sea forces of Rochelle were scattered and destroyed, a loss to them irrecoverable, and the first step to their ruin.

Neither was this loan of ships from England (for such was the people's complaint and suspicion against those who at that time stood at the helm) supposed to proceed so much from friendship to the state of France as from design against religion; for immediately upon it, the king, by what advice the people understood not, made a breach with France, by taking their ships, to a great value, without making any recompense to the English, whose goods were thereupon imbarred, and confiscate in that kingdom.

In revenge of this, a brave army was raised in England, and commanded by the duke of Buckingham in person, who landing at the Isle of Rhea was at the first encounter victorious against the French; but after few months' stay there, the matter was so unhappily carried (the general being unexperienced in warlike affairs) that the French prevailed, and gave a great defeat, where many gallant gentlemen lost their lives, and the nation much of their ancient honour.

From thence proceeded another step to the ruin of Rochelle; the sick and wounded English were sent into that city, and relieved by the besieged Rochellers, out of that little provision which they then had, upon faithful promise of supplies from England in the same

kind. The provisions of Rochelle were little enough for their own relief at that time, if we consider what ability the French king had to continue that siege; when to the proper wealth and greatness of his crown was added that reputation and strength which his late success against all the other protestant garrisons in France had brought.

The besieged Rochellers, not doubting at all of the due and necessary supply of victual from England, sent their ships thither for that purpose; but those ships, whose return with bread was so earnestly expected, were stayed in England by an embargo; and so long stayed, till that unhappy town was enforced to yield by famine, the sharpest of all enemies.

But in the mean time, whilst these ships with victual were detained, a great army was raised in England for relief of Rochelle; but too great was the delay of those preparations, till time was past, and that army in the end disbanded by the sad death of the duke of Buckingham their general, who was stabbed at Portsmouth by a private gentleman, John Felton.

This Felton was a soldier of a low stature, and no promising aspect; of disposition serious and melancholy, but religious in the whole course of his life and conversation; which last I do not mention out of purpose to countenance his unlawful act, as supposing him to have had (as some did then talk) any inspiration or calling of God to it: his confessions to his friends, both public and private, were, that he had often secret motions to that purpose, which he had resisted and prayed against, and had almost overcome, until he was at last confirmed in it by reading the late dissolved parliament's remonstrance against the duke: that then his conscience told him it was just and laudable to be the executioner of that man whom the highest court

of judicature, the representative body of the kingdom, had condemned as a traitor. But let posterity censure it as they please; certain it is, that Felton did much repent him of the unlawfulness of the fact, out of no fear of death or punishment here; for he wished his hand [to be] cut off before the execution, which his judges could not doom by the laws of England.

The king had not long before broken off another parliament, called in the second year of his reign, in which the petition of right was granted, to the great rejoicing of the people. But it proved immediately to be no relief at all to them; for, the parliament presently dissolved, the king acted over the same things which formerly he had done; and that grant, instead of fortifying the kingdom's liberty, made it appear to be more defenceless than before, [seeing] that laws themselves were no bar against the king's will. The parliament, in hope of gracious acts, had declared an intent to give his majesty five subsidies; the full proportion of which five subsidies was, after the dissolution of that parliament, exacted by commission of loan from the people, and those imprisoned which refused the payment of that loan: great sums of money were required and raised by privy seals; a commission for squeezing the subject by way of excise; soldiers were billeted upon them; and a design laid to enslave the nation by a force of German horse; with many other things of that nature.

Those affairs of state which concerned confederates abroad, had been managed with as much disadvantage and infelicity to them as dishonour to the English nation, and prejudice to the cause of religion itself.

Peace was made with Spain without consent of parliament; by which all hope was utterly lost of reestablishing the king's nearest kindred in their just

dominion ; and the protestant religion much weakened in Germany. What counsels had then influence upon the court of England might be the amazement of a wise man to consider, and the plain truth must needs seem a paradox to posterity ; as, that the protestant religion, both at home and abroad, should suffer much by the government of two kings, of whom the former in his own person wrote more learnedly in defence of it, and the latter in his own person lived more conformably to the rules of it, than any of their contemporary princes in Europe. But the civil affairs of state were too ill managed to protect, or at least to propagate, true religion ; or else the neglect of religion was the cause that civil affairs were blessed with no more honour and prosperity. The right ways of queen Elizabeth, who advanced both, had been long ago forsaken, and the deviation grew daily further and more fatal to the kingdom : which appeared in a direct contrariety to all particulars of her reign. Titles of honour were made more honourable by her in being conferred sparingly, and therefore probably upon great desert ; which afterwards were become of less esteem, by being not only too frequently conferred, but put to open sale, and made too often the purchase of mechanics or the reward of vicious persons.

At the death of that duke, the people were possessed with an unusual joy, which they openly testified by such expressions as indeed were not thought fit nor decent by wise men upon so tragical and sad an accident, which in a Christian consideration might move compassion, whatsoever the offences of the man were.

To such people that distich of Seneca might give answer :

Res est sacra miser. Noli mea tangere fata.

Sacrilegæ bustis abstinuere manus. Epigramm. IV. 9.

Sacred is woe ; touch not my death with scorn :
Even sacrilegious hands have tombs forborne.

And it may be that God was offended at the excess of their joy, in that he quickly let them see the benefit was not so great to them as they expected by it ; but his judgments are too high for men to search. True it is, that the people in general loving the king's person, and very unwilling to harbour the least opinion of ill in him, looked upon the duke as the only hinderance of the kingdom's happiness ; supposing that, though other statesmen might afterwards arise, of as bad or worse intentions than the duke, yet none would have so great a power for execution of them, nor any other genius be ever found to have so great a mastery over the king's genius. But it is certain that men did much therefore rejoice at the death of this duke, because they did before much fear what mischief might befall a kingdom, where that man, who knew himself extremely hated by the people, had all the keys of the kingdom in his hand, as being lord-admiral and warden of the cinque ports, having the command of all the soldiers, and the only power to reward and raise them.

These joys and hopes of men lasted not long : for in the same year, (being the fourth of king Charles,) and after the death of the duke of Buckingham, another parliament was dissolved ; and then the privileges of that high court [were] more broken than ever before. Six members of the house of commons, who had been forward in vindicating the privileges of parliament, were committed close prisoners for many months together, without the liberty of using books, pen, ink, and paper, while they were detained in this condition, and not admitted [to] bail according to law : they were also vexed with informations in inferior courts, where

they were sentenced and fined for matters done in parliament, and the payment of such fines extorted from them. Some were enforced to put in security of good behaviour before they could be released: the rest, who refused to be bound, were detained divers years after in custody, of whom, one sir John Elliot, a gentleman of able parts, that had been forwardest in expression of himself for the freedom of his country, and [in] taxing the unjust actions of the duke of Buckingham while that duke lived, (though the truth be, that those speeches of his were no other than what carried the public consent in them,) died by the harshness of his imprisonment, which would admit of no relaxation, though, for health's sake, he petitioned for it often, and his physician gave in testimony to the same purpose. The freedom that sir John Elliot used in parliament was by the people in general applauded, though much taxed by the courtiers, and censured by some of a more politic reserve, (considering the times,) in that kind that Tacitus censures Thræseas Poetus, as thinking such freedom a needless, and therefore a foolish thing, where no cure could be hoped by it: *Sibi periculum, nec aliis libertatem.*

After the breaking off this parliament, (as the historian speaketh of Roman liberty, after the battle of Philippi, *nunquam post hoc prælium, &c.*) the people of England for many years never looked back to their ancient liberty. A declaration was published by the king, wherein aspersions were laid upon some members; but indeed the court of parliament itself was declared against. All which the dejected people were forced to read with patience, and allow, against the dictate of their own reason.

The people of England from that time were deprived of the hope of parliaments; and all things so managed

by public officers, as if never such a day of account were to come.

I shall, for method's sake, first of all make a short enumeration of some of the chief grievances of the subjects, which shall be truly and plainly related, as likewise some vices of the nation in general, (that the reader may the better judge of the causes of succeeding troubles,) during the space of seven or eight years after the dissolution of that parliament; and then [shall] give some account concerning the several dispositions of the people of England, and their different censures of the king's government during those years; touching, by the way, somewhat of the manners and customs of the court of England; and then briefly of the condition of ecclesiastical affairs, and the censures of men concerning that.

CHAPTER II.

A brief relation of some grievances of the kingdom. The various opinions of men concerning the present government. The condition of the court and clergy of England. Some observations of a stranger concerning the religion of the English people.

IT cannot but be thought, by all wise and honest men, that the sins of England were at a great height, that the injustice of governors and vices of private men were very great, which have since called down from Almighty God so sharp a judgment, and drawn on by degrees so calamitous and consuming a war. Those particular crimes an English historian can take no pleasure to relate, but might rather desire to be silent in, and say with Statius,

. . . . *Nos certe taceamus, et obruta multa
Nocte tegi propriæ patiamur crimina gentis.* SILV. V. 89.

Let us be silent, and from after-times
Conceal our own unhappy nation's crimes.

X

But to be silent in that were great injustice and impiety toward God;—to relate his judgments upon a kingdom, and forget the sins of that kingdom, which were the cause of them. The heathen historians do well instruct us in that point of piety, who never almost describe any civil war or public affliction without relating at the beginning how vicious and corrupted their state was at that time grown; how faulty both the rulers and people were, and how fit to be punished, either by themselves or others. Nor do any of the Roman poets undertake to write of that great and miserable civil war, which destroyed the present state and enslaved posterity, without first making a large enumeration of such causes; how wicked the manners of Rome were grown, how the chief rulers were given to avarice and oppression, and the whole state drowned in luxury, lusts, and riot, as you may see upon that subject in two the most elegant of them. And shall we Christians, who adore the true God, and live under the gospel light, not be sensible, under so heavy a judgment, of our own offences?

To begin with the faults of the higher powers, and their illegal oppression of the people during these eight or nine years, in which parliaments were denied to England, which I briefly touch, referring the reader to a more full narration in the Remonstrance; multitudes of monopolies were granted by the king, and laid upon all things of most common and necessary use, such as soap, salt, wine, leather, sea-coal, and many other of that kind:

Regia privatis crescunt æraria damnis.

CLAUD. de IV. Cons. 499.

By loss of private men the exchequer grows.

Large sums of money were exacted through the whole kingdom for default of knighthood under the shadow of an obsolete law. Tonnage and poundage

were received without the ordinary course of law ; and though they were taken under pretence of guarding the seas, yet that great tax of ship-money was set on foot under the same colour ; by both which there was charged upon the people some years near 700,000*l.* though the seas at that time were not well guarded.

These things were accompanied with an enlargement of forests, contrary to Magna Charta, the forcing of coat and conduct-money, taking away the arms of trained bands in divers counties, disarming the people by engrossing of gunpowder, keeping it in the Tower of London, and setting so high a rate upon it that the poorer sort were not able to buy it ; nor could any have it without license ; whereby several parts of the kingdom were left destitute of their necessary defence.

No courts of judicature could give redress to the people for these illegal sufferings, whilst judges were displaced by the king for not complying with his will, and so awed, that they durst not do their duties ; for, to hold a rod over them, the clause *quamdiu se bene gesserint* was left out of their patents, and a new clause, *durante beneplacito*, inserted.

New illegal oaths were enforced upon the subjects and new judicatories erected without law ; and when commissions were granted for examining the excess of fees, and great exactions discovered, the delinquents were compounded with, not only for the time past, but immunity to offend for the time to come ; which, instead of redressing, did confirm and increase the grievance of the subjects.

By this time all thoughts of ever having a parliament again were quite banished ; so many oppressions had been set on foot, so many illegal actions done, that the only way to justify the mischiefs already done was to do that one greater, to take away the means which

was ordained to redress them—the lawful government of England by parliaments.

Whilst the kingdom was in this condition, the serious and just men of England, who were no way interested in the emolument of these oppressions, could not but entertain sad thoughts and presages of what mischief must needs follow so great an injustice; that things carried so far on in a wrong way must needs either enslave themselves and posterity for ever, or require a vindication so sharp and smarting, as that the nation would groan under it; and though the times were jolly for the present, yet, having observed the judgments of God upon other secure nations, they could not choose but fear the sequel. Another sort of men, and especially lords and gentlemen, by whom the pressures of the government were not much felt, who enjoyed their own plentiful fortunes, with little or insensible detriment, looking no further than their present safety and prosperity, and the yet undisturbed peace of the nation, whilst other kingdoms were embroiled in calamities, and Germany sadly wasted by a sharp war, did nothing but applaud the happiness of England, and called those ungrateful and factious spirits, who complained of the breach of laws and liberties, that the kingdom abounded with wealth, plenty, and all kind of elegances, more than ever; that it was for the honour of a people that the monarch should live splendidly, and not be curbed at all in his prerogative, which would bring him into the greater esteem with other princes, and more enable him to prevail in treaties; that what they suffered by monopolies was insensible, and not grievous, if compared with other states; that the duke of Tuscany sat heavier upon his people in that very kind; that the French king had made himself an absolute lord, and quite depressed the power of

parliaments, which had been there as great as in any kingdom, and yet that France flourished, and the gentry lived well; that the Austrian princes, especially in Spain, laid heavy burdens upon their subjects.

Thus did many of the English gentry, by way of comparison, in ordinary discourse, plead for their own servitude.

The courtiers would begin to dispute against parliaments in their ordinary discourse, that they were cruel to those whom the king favoured, and too injurious to his prerogative; that the late parliament stood upon too high terms with the king; and that they hoped the king should never need any more parliaments. Some of the greatest statesmen and privy-councillors would ordinarily laugh at the ancient language of England, when the word *liberty of the subject* was named. But these gentlemen, who seemed so forward in taking up their own yoke, were but a small part of the nation, (though a number considerable enough to make a reformation hard,) compared with those gentlemen who were sensible of their birthrights and the true interest of the kingdom; on which side the common people in the generality and the country freeholders stood, who would rationally argue of their own rights, and those oppressions that were laid upon them.

But the sins of the English nation were too great to let them hope for an easy or speedy redress of such grievances; and the manners of the people so much corrupted, as by degrees they became of [that temper which the historian speaks of his Romans, *ut nec mala, nec remedia, ferre possent*, they could neither suffer those pressures patiently, nor quietly endure the cure of them. Profaneness too much abounded every where; and, (which is most strange,) where there was no religion, yet there was superstition: luxury in diet,

and excess both in meat and drink, was crept into the kingdom in an high degree, not only in the quantity, but in the wanton curiosity. And in abuse of those good creatures which God had bestowed upon this plentiful land, they mixed the vices of divers nations, catching at every thing that was new and foreign.

. . . . *Non vulgo nota placebant
Gaudia, non usu plebeio trita voluptas.*

PETRONIUS, Sat. cxix. 8.

. . . . Old known delight
They scorn, and vulgar, bare-worn pleasure slight.

As much pride and excess was in apparel, almost among all degrees of people, in newfangled and various fashioned attire; they not only imitated, but excelled their foreign patterns, and, in fantastical gestures and behaviour, the petulancy of most nations in Europe.

Et laxi crines, et tot nova nomina vestis. Id. ibid. 26.

Loose hair, and many new-found names of clothes.

The serious men groaned for a parliament; but the great statesmen plied it the harder to complete that work they had begun, of setting up prerogative above all laws.

The lord Wentworth (afterward created earl of Strafford for his service in that kind) was then labouring to oppress Ireland, of which he was deputy, and to begin that work in a conquered kingdom which was intended to be afterward wrought by degrees in England: and indeed he had gone very far, and [was very prosperous] in those ways of tyranny, though very much to the endamaging and setting back of that newly established kingdom.

He was a man of great parts, of a deep reach, subtle wit, of spirit and industry to carry on his business, and such a conscience as was fit for that work he was designed to. He understood the right way and the liberty of his country as well as any man; for which,

in former parliaments, he stood up stiffly, and seemed an excellent patriot. For those abilities he was soon taken off by the king, and raised in honour, to be employed in a contrary way, for enslaving of his country; which his ambition easily drew him to undertake. To this man, in my opinion, that character which Lucan bestows upon the Roman Curio in some sort may suit :

*Haud alium tanta civem tulit indole Roma,
Aut cui plus leges deberent recta sequenti.
Perdita tunc urbi nocuerunt sæcula, postquam
Ambitus, et luxus, et opum metuenda facultas
Transverso mentem dubiam torrente tulerunt :
Momentumque fuit mutatus Curio rerum. Phars. V. 814.*

A man of abler parts Rome never bore,
Nor one to whom (whilst right) the laws ow'd more.
Our state itself then suffer'd, when the tide
Of avarice, ambition, factious pride,
To turn his wavering mind quite cross, began :
Of such high moment was one changed man.

The court of England, during this long vacancy of parliaments, enjoyed itself in as much pleasure and splendour as ever any court did. The revels, triumphs, and princely pastimes were for those many years kept up at so great a height, that any stranger which travelled into England would verily believe a kingdom that looked so cheerfully in the face could not be sick in any part.

The queen was fruitful, and now grown of such an age as might seem to give her privilege of a further society with the king than bed and board, and make her a partner of his affairs and business, which his extreme affection did more encourage her to challenge : that conjugal love, as an extraordinary virtue of a king, in midst of so many temptations, the people did admire and honour.

But the queen's power did by degrees give privilege to papists (and, among them, [to] the most witty and Jesuited) to converse, under the name of civility and courtship, not only with inferior courtiers, but with the king himself, and to sow their seed in what ground they thought best; and by degrees, as in compliment to the queen, nuncios from the pope were received in the court of England, Panziane, Con, and Rosetti; the king himself maintaining in discourse, that he saw no reason why he might not receive an ambassador from the pope, being a temporal prince. But those nuncios were not entertained with public ceremony; so that the people in general took no great notice of them; and the courtiers were confident of the king's religion by his due frequenting prayers and sermons.

The clergy, whose dependance was merely upon the king, were wholly taken up in admiration of his happy government, which they never concealed from himself as often as the pulpit gave them access to his ear; and not only there, but at all meetings, they discoursed with joy upon that theme; affirming confidently, that no prince in Europe was so great a friend to the church as king Charles; that religion flourished nowhere but in England; and no reformed church retained the face and dignity of a church but that: many of them used to deliver their opinion, that God had therefore so severely punished the palatinate, because their sacrilege had been so great in taking away the endowments of bishoprics.

Queen Elizabeth herself, who had reformed religion, was but coldly praised; and all her virtues were forgotten, when they remembered how she cut short the bishopric of Ely.

Henry the Eighth was [also] much condemned by them for seizing upon the abbey, and taking so much out of

the several bishoprics as he did in the thirty-seventh year of his reign. To maintain, therefore, that splendour of a church, which so much pleased them, was become their highest endeavour; especially after they had gotten, in the year 1633, an archbishop after their own heart, Dr. Laud; who had before, for divers years, ruled the clergy, in the secession of archbishop Abbot, a man of better temper and discretion; which discretion, or virtue, to conceal, would be an injury to that archbishop. He was a man who wholly followed the true interest of England, and that of the reformed churches in Europe; so far as that in his time the clergy was not much envied here in England, nor the government of episcopacy much disfavoured by protestants beyond the seas. Not only the pomp of ceremonies [was] daily increased, and innovations of great scandal brought into the church, but in point of doctrine many fair approaches [were] made towards Rome; as he that pleaseth to search may find in the books of bishop Laud, Montague, Heylin, Pocklington, and the rest; or, in brief, collected by a Scottish minister, master Baily. And as their friendship to Rome increased, so did their scorn to the reformed churches beyond the seas; whom, instead of lending that relief and succour to them which God had enabled this rich island to do, they failed in their greatest extremities, and instead of harbours, became rocks to split them.

Archbishop Laud, who was now grown into great favour with the king, made use of it especially to advance the pomp and temporal honour of the clergy, procuring the lord treasurer's place for Dr. Juxon, bishop of London, and endeavouring, as the general report went, to fix the greatest temporal preferments upon others of that coat; insomuch as the people merrily, when they saw that treasurer, with the other bishops,

riding to Westminster, called it *the church triumphant*; doctors and parsons of parishes were made every where justices of peace, to the great grievance of the country in civil affairs, and depriving them of their spiritual edification.

The archbishop, by the same means which he used to preserve his clergy from contempt, exposed them to envy, and, as the wisest could then prophesy, to a more than probability of losing all: as we read of some men, who, being foredoomed by an oracle to a bad fortune, have run into it by the same means they used to prevent it. The like unhappy course did the clergy then take to depress puritanism, which was, "to set up irreligion itself against it," the worst weapon which they could have chosen to beat it down: which appeared especially in point of keeping the Lord's day; when not only books were written to shake the morality of it, as that of *Sunday no Sabbath*, but sports and pastimes of jollity and lightness were permitted to the country people upon that day, by public authority, and the warrant commanded to be read in churches: which, instead of producing the intended effect, may credibly be thought to have been one motive to a stricter observance of that day in that part of the kingdom which before had been well devoted; and many men, who had before been loose and careless, began upon that occasion to enter into a more serious consideration of it, and were ashamed to be invited, by the authority of churchmen, to that which themselves, at the best, could but have pardoned in themselves as a thing of infirmity.

The example of the court, where plays were usually presented on Sundays, did not so much draw the country to imitation, as reflect with disadvantage upon the court itself, and sour those other court pastimes and

jollities, which would have relished better without that in the eyes of all the people, as [being] things that had ever been allowed to the delights of great princes.

The countenancing of looseness and irreligion was no doubt a good preparative to the introducing of another religion; and the power of godliness being beaten down, popery might more easily by degrees enter; men quickly leave that, of which they never took fast hold: and though it were questionable whether the bishops and great clergy of England aimed at popery, it is too apparent [that] such was the design of Romish agents; and the English clergy, if they did not their own work, did theirs. A stranger of that religion, a Venetian gentleman, out of his own observations in England, will tell you how far they were going in this kind; his words are:

The universities, bishops, and divines of England, do daily embrace catholic opinions, though they profess it not with open mouth, for fear of the puritans: for example, they hold that the church of Rome is a true church; that the pope is superior to all bishops; that to him it appertains to call general councils; that it is lawful to pray for souls departed; that altars ought to be erected; in sum, they believe all that is taught by the church, but not by the court, of Rome.

The archbishop of Canterbury was much against the court of Rome, though not against that church in so high a kind; for the doctrine of the Roman church was no enemy to the pomp of prelacy; but the doctrine of the court of Rome would have swallowed up all under the pope's supremacy, and have made all greatness dependant upon him: which the archbishop conceived would derogate too much from the king in temporals, (and therefore hardly to be accepted by the court,) as it would from himself in spirituals, and make his metropolitical power subordinate, which he desired

to hold absolute and independent within the realm of England, [as if he had been an English pope.]

It is certain that the archbishop of Canterbury (as an English gentleman observes) would often profess against those Tridentine papists, whom [he hated only] as papists properly so called. For at the council of Trent all matters concerning the court of Rome (which are of themselves but disputable) were determined as points of faith, to be believed upon pain of damnation: but matters of faith indeed concerning the church of Rome were left disputable, and no anathema annexed to them. But that Venetian gentleman, whom before we cited, declares in what state, for matter of religion, England at that time stood, and how divided; namely, into papists, protestants, and puritans. Papists are well known. "The protestant party," saith he, "consists of the king, the court-lords and gentlemen, with all that are raised by favour to any honour: besides almost all the prelates and both the universities."

What the protestants are, he further declares, viz. "They hate puritans more than they hate papists; that they easily combine with papists to extirpate puritans; and are not so far engaged to the reformed religion, but that they can reduce themselves again to the old practice of their forefathers; that they are very opinionative in excluding the pope's supremacy."

He speaks then concerning the puritans, and says, "that they consist of some bishops, of almost all the gentry and commonalty, and therefore are far the most potent party."

And further declares what they are, viz. "They are such as received the discipline of the French and Netherlanders, and hold not the English reformation to be so perfect as that which Calvin instituted at

Geneva; that they hate papists far more than they hate protestants," &c.

Thus far of this stranger's observation concerning England.

CHAPTER III.

The condition of the Scottish state and clergy when the new book of liturgy was sent unto them; how it was received; with some effects which followed. The king's proclamation sent by the earl of Traquair; against which the lords make a protestation.

IN this condition stood the kingdom of England about the year 1636, when the first coal was blown, which kindled since into so great a combustion as to deface and almost ruin three flourishing kingdoms. Neither was this coal blown by the grieved party of England, the commonalty, and those religious men that prayed for reformation, but by the other side, who had oppressed them. No commotion at all was raised from the oppressed party, though it consisted of the body of the nation, and [was] therefore strong enough to have vindicated themselves, would they have risen in illegal tumults.

The land was yet quiet, and that storm which the people had feared before the death of the duke of Buckingham was not in so long a time fallen upon England, although the causes in government which made them fear it had continued at the height ever since. They only wished for a parliament, but durst not hope it, unless some strange accident, not yet discovered by them, might necessitate such a cure. The commons therefore quietly endured their yoke, the court freely enjoyed its greatness and splendour, and the then clergy, without control, their dignity, until

too great a care of securing and increasing that dignity made them endeavour those courses which proved the ruin of it ; for from the clergy this fire began, though the state was not innocent. The tyranny of civil government moved the same pace that the ambition of prelacy did ; and the king's council had gone so far, as they could not be content that the people were patient, unless they could take away all possibility, for the future, of the people's redress.

But the name of religion was used at the beginning of the business, and a conformity in church-worship between the two kingdoms of England and Scotland pretended to be introduced : but the means proved unhappy, and were defective both in policy and justice, as will anon more particularly appear.

The archbishop of Canterbury was a main agent in this fatal work ; a man vigilant enough, of an active, or, rather, of a restless mind ; more ambitious to undertake than politic to carry on ; of a disposition too fierce and cruel for his coat ; which, notwithstanding, he was so far from concealing in a subtle way, that he increased the envy of it by insolence. He had few vulgar and private vices, as being neither taxed of covetousness, intemperance, or incontinence ; and, in a word, a man not altogether so bad, [in his personal character,] as unfit for the state of England.

To bring about the work in hand, long preparation had been made in Scotland ; and though that kingdom was hardly brought to endure the rule and pomp of prelacy, yet now it seemed perfectly to be wrought : the bishops there, no less than in England, had gotten all the ecclesiastical power into their hands, and had as great a share in civil government.

Of fourteen bishops, (which is all the Scottish number,) eleven were privy-councillors ; the archbishop of

St. Andrew's, primate of Scotland, was lord chancellor; and the bishop of Ross (a great favourite of the archbishop of Canterbury) was in election and assured hope to be lord high treasurer; many of them, besides, were gotten into state employment and gainful offices.

To establish that episcopal power, the high commission court, like that in England, was erected, and a book of canons for that church was, by the king's authority, published and ratified; wherein all subjects to the crown of Scotland are commanded, in all articles, to submit themselves to the episcopal censure.

The whole structure of ecclesiastical policy, so long used in Scotland, and established by so many acts of parliament, was at one blow thrown down, (as many of their writers did then complain;) their consistories, classes, and presbyteries were held in the nature of conventicles; and all decision of ecclesiastical controversies confined only to the tribunal of a bishop. "Although," say they, "after that unhappy synod of Perth, which was held in the year 1618, we never had any national synod or assembly, yet there remained a kind of face or name of provincial synods, presbyteries, and sessions:" (though indeed but vain names and shadows;) but after the monstrous birth of those canons that very shadow was quite lost.

Olim vera fides libertatis obit;

Nunc et ficta perit.

LUCAN. IX. 204.

Yet, for all this, the power of prelacy was not so firmly rooted in Scotland as in England, nor so well fortified by the affections of [the] one kingdom as of the other. Besides, the reformation of England had never abrogated, nor scarce shaken, the prelatical dignity in any parliament.

But in Scotland it was once quite ruined, and [had been] by degrees built up again, not without many diffi-

culties; not without great reluctancy of the peers, gentry, and most of the ministers; not without extraordinary interposition of regal authority, and great art used by two kings in managing the business, and raising it to that height in which [then it] stood; as you may read at large in some late writers of that kingdom.

Neither were the peers and gentry of that kingdom so impatient of this new yoke only out of zeal to preservation of religion in purity; (though that, no doubt, were their greatest reason; that church having been ever much addicted to the reformation of Geneva and those other churches, as it appeared by their great unwillingness to receive those few ceremonies of the English church at their synod of Perth;) but [also as being loath] to suffer any diminution of their temporal liberties; which could not be avoided in admittance of episcopal jurisdiction, and was manifested in that kingdom by divers examples of rigorous proceedings, which some bishops used against gentlemen of quality, by way of fines and imprisonments, and the like; which particulars are too large to be here inserted in this narration.

In the year 1637, a book of liturgy was composed, and sent out of England, (which they complained of, because it was not before allowed by their church in a national synod, as was fit for a business of so great import,) with an express command from the king, that they should reverently receive it, and publicly read it in their churches, beginning on Easter-day, and so forward; against which time the privy council of Scotland had commanded that every parish should buy two, at the least, of them.

That Service Book was the same with the Common Prayer Book of England, excepting some few alterations,

of which some (as they observed) were alterations for the better, but others for the worse.

For the better, they esteemed that so many chapters of the Apocrypha were not appointed to be read, as in the English Prayer Book; and where the English retained the old vulgar Latin translation, especially in the Psalms, that book followed the last translation, commonly called that of king James.

Those alterations for the worse were divers, observed by the Scots, especially in the Lord's supper, of which some were these: the express command for situation of the altar (so called) to the eastern wall, together with many postures of the minister whilst he officiated, expressed in their exceptions; but especially this, that in the consecrating prayer, those words, which in the English Common Prayer Book are directly against transubstantiation, were quite left out in that Book, and instead of them such other words as in plain sense agreed with the Roman mass book.

As for example: *Hear us, O most merciful Father, and of thy Omnipotent goodness grant, so to bless and sanctify by thy word and Spirit these creatures of bread and wine, that they may be to us the body and blood of thy beloved Son.*

Many other alterations the Scots have observed and expressed in their writings, and, in one word, affirmed, that, wheresoever that book varies from the English liturgy it approaches directly to the Roman missal, and offered to prove that all the material parts of the mass book are seminally there.

It was thought by many, that if the Book without any alteration at all had been sent into Scotland, though the Scots perhaps would not have received it, they would not have taken it in so evil part: and it might have been construed only as a brotherly invita-

tion to the same service which England used. But what the reasons were of those alterations I find nowhere expressed, but only where the king, in his declaration concerning that business, is pleased to say thus :

We, supposing that they might have taken some offence if we should have tendered them the English Service Book *totidem verbis*, and that some factious spirits would have endeavoured to have misconstrued it, as a badge of dependance of that church upon this of England, which we had put upon them to the prejudice of their laws and liberties ; we held it fitter that a new book should be composed by their own bishops, in substance not differing from this of England, that so the Roman party might not upbraid us with any weighty or material differences in our liturgies ; and yet in some few insensible alterations differing from it, that it might truly and justly be reputed a book of that church's own composing, and established by our royal authority, as king of Scotland.

These were the king's expressions, which, as it seemed, were not satisfactory to the Scots in that point.

For they were (as is before specified) not well affected to their own bishops, whose power and jurisdiction over them was rather enforced than consented to. Neither did they suppose that a conformity in church-worship, had it been such as their consciences could well have embraced, had been any badge of their dependancy upon England, as being a people not conquered, but united in an equal freedom under the same king.

Besides, they could not relish it well, that the archbishop of Canterbury, and other English bishops, who in many points of ceremony and worship, which they accounted things tolerable, did make as near approaches to the church of Rome as possibly they could, for no other reason (as they profess in their writings) than

that they laboured to bring union into the Christian church, if it were possible, should now invite the church of Scotland (whom they accounted more puritanical than themselves) to union by a quite contrary way; as, instead of framing their service nearer to the Scottish profession and discipline, to urge them to a liturgy more popish than their own: so that it seemed for unity they were content to meet Rome rather than Scotland.

To return to the narration: the Service Book, according to the king's command, was offered to the church of Scotland and the council there, and published by proclamation; a day for the reading of it in all churches appointed, which was the Easter-day following, 1637.

But then, upon some considerations, and further trial of men's minds, (as the king declares,) the first reading of it was put off until the 23rd of July next ensuing, to the end that the lords of the session (their session being the same with the term in England) and others, who had any law business, might see the success of it before the rising of the session, which always endeth upon the first of August; and that so, upon their return into their several countries, they might report the receiving of this book at Edinburgh; it being ordered, that on that Sunday the book should be read only in the church of Edinburgh and some other [churches] near adjacent; and warning was printed and published in those several pulpits the Sunday before, that it was to be read.

On the 23rd day of July, being Sunday, the book was read in St. Giles' church, commonly called *the great church at Edinburgh*, where were present many of the privy council, both archbishops, and divers other bishops, the lords of the session, the magistrates of Edinburgh, and a great auditory of all sorts.

But the people, especially the meanest vulgar, (for

they first appeared against it,) and some women, expressed so great a detestation of the book, not only in words and outcries, but actions, that the city magistrates were troubled much to get the service performed; and the bishop who read it, coming out of the church, had probably been slain by the multitude, if he had not been rescued by a nobleman.

Between the two sermons the council and magistrates met about preventing future tumults; but, though the book were read more quietly in the afternoon, yet the tumult was far greater after evening prayer, from the people who had stayed in the streets; and the bishop, in the earl of Roxburgh's coach, hardly escaped from being stoned to death.

The greatest men and magistrates of Edinburgh, to excuse themselves to the king, (some of them also writing to the archbishop of Canterbury,) laid all the fault upon the rabble; for as yet none of quality had appeared, insomuch as that the privy council and magistrates of Edinburgh, the next morning, held some consultation about finding out and punishing the ring-leaders of that uproar.

But not long after, upon the appearing of some others of higher rank, and petitions from divers ministers, that the reading of that book might be a while respited, till his majesty might be further petitioned and informed, the council yielded so far, as that it should not be urged by the bishops till his majesty's pleasure were further known.

Upon which, many gentlemen and ministers, who had resorted to Edinburgh with petitions not long before, returned in part satisfied to their own habitations; and at many places met together, with fastings and prayer, that God would be pleased to direct the king's heart in that way which they conceived most

conducibile to the happiness of the church and state of Scotland.

Upon the 18th of October following, harvest being now ended, a great conflux of all sorts was at Edinburgh, to hear what the king was pleased to determine of the business; where they find an edict against them, “that, upon pain of being guilty of rebellion, all should, within few hours’ warning, depart the city; and because the citizens of Edinburgh had twice tumultuously opposed the Prayer Book, and assaulted the bishop of Edinburgh, as a punishment to that city, the term was to be removed to the borough of Linlithgow; and the next term, after the ordinary vacants, to be held at the borough of Dundee, there to remain during his majesty’s pleasure.”

The petitioners (as they were then called) were much moved at this edict; and on the 19th of that October presented to the privy-council a great complaint against the bishops, whom they conceived [to be] the authors of all this business, and desired justice against them, as well for other crimes, as for introducing, contrary to law, that superstitious and idolatrous book.

To this complaint a great number of all ranks subscribed, and professed to the council that they could not depart out of Edinburgh till some way were found out to settle the present grievances.

Whilst they stayed there, their number daily increased from all the remotest provinces, [so] that the council were enforced to give way, that till the king’s pleasure were yet further known, they might choose some out of their number of all ranks to represent the rest, and follow the cause in the name of all the rest: upon which they chose four of the higher nobility, four of the lower rank of nobility, as representers of provinces; as many burghesses of towns; and four pastors, as repre-

senters of the classes : having settled this, the rest quietly departed to their own homes.

The king, hearing of these things, sent a command to the council of Edinburgh not to take upon themselves any more the decision of this controversy, which he reserved in his own power : and proclamation was made in December 1637 concerning the king's intentions, that they were not to infringe the laws or liberties of the kingdom.

When therefore the commissioners petitioned the council to give way to them, to bring their actions against the bishops, the council answered, that the king had commanded them to receive no more petitions against either the bishops or Book of Service.

Whereupon the commissioners, discontented, prepare a protestation against the king's council, declaring, that what mischief soever might afterwards ensue was to be all imputed to the king's council for denying justice.

The council, fearing what effects might follow, desired the bishops to absent themselves, and gave leave to the commissioners to appear before them ; where the lord of Lowden, in name of all the rest, made an oration, in which, charging the bishops with other crimes, besides these stirs, he desired them to be altogether removed from the council-table, till they had answered and cleared themselves. To the like purpose spake one of the ministers.

The council seemed sorry that it lay not in their power (since the king's command was peremptory) to give satisfaction to their desires, but entreated their patience for so small a time as till they might again receive notice of his majesty's pleasure.

The king, further certified by them, sent for the earl of Traquair into England, who was soon despatched again into Scotland ; and in February 1638 caused

the king's mandate in Stirling (where the council then sat) to be published.

The proclamation declared that the bishops were wrongfully accused as authors of sending the Prayer Book; that his majesty himself was author of it, and all was done by his command; that he condemned all tumultuous proceedings of his subjects to exhibit petitions or complaints against the innocent bishops and Book of Liturgy, and all subscriptions to that purpose hitherto, as conspiring against the public peace; pronouncing pardon to those which repented, and the punishment of high treason to such as persisted; promising to hear the just complaints of his subjects, so they offended not in matter or form.

After the proclamation was made at Stirling, the earl of Hume, lord Lindsey, and others, in name of all the petitioners, made a protestation against it; which protestation was afterward repeated at Linlithgow, and last at Edinburgh.

The effect of that protestation was, (for we cannot here insert it at large,) that the Service Book was full of superstition and idolatry, and ought not to be obtruded upon them without consent of a national synod, which in such cases should judge; that it was unjust to deny them liberty to accuse the bishops, being guilty of high crimes, of which till they were cleared they did reject the bishops as judges or governors of them. They protested also against the high commission court, and justified their own meetings and superscriptions to petitions, as being to defend the glory of God, the king's honour, and liberties of the realm. This protestation was read in the market-place at Stirling, and the copy hung up in public.

CHAPTER IV.

The Scots enter into a covenant. The marquis Hamilton is sent thither from the king. A national synod is granted to them, but dissolved within few days by the marquis, as commissioner from the king. The king declares against the covenanters, and raises an army to subdue them.

FROM Stirling the commissioners resorted to Edinburgh, whither many from all parts met to consult of the present business; and concluded there to renew solemnly among them that covenant which was commonly called, "The lesser Confession of the Church of Scotland;" or, "The Confession of the King's Family;" which was made and sealed under king James his hand, in the year 1580, [and] afterwards confirmed by all the estates of the kingdom and decree of the national synod [in] 1581. Which confession was again subscribed by all sorts of persons in Scotland, [in the year] 1590, by authority of council and national synod; and a covenant added to it for defence of true religion and the king's majesty; which covenant the aforesaid lords, citizens, and pastors, in the year 1638, did renew, and took another according to the present occasion.

The covenant itself (expressed at large in the records of that kingdom) consisted of three principal parts: the first was a retaking, word for word, of that old covenant, 1580, confirmed by royal authority, and two national synods, for defence of the purity of religion and the king's person and rights against the church of Rome. The second part contained an enumeration of all the acts of parliament made in Scotland in defence of the reformed religion, both in doctrine and discipline, against popery.

The third was an application of that old covenant to

the present state of things, where, as in that all popery, so in this all innovations in those books of liturgy unlawfully obtruded upon them, are abjured; and a preservation of the king's person and authority, as likewise a mutual defence of each other, in this covenant, are sworn unto.

Against this covenant the king, much displeased, made these four principal objections: first, by what authority they entered into this covenant? or presumed to exact any oath from their fellow-subjects? secondly, if they had power to command the new taking of this oath, yet what power had they to interpret it to their present occasion? it being a received maxim, that no less authority can interpret a law than that which made it, or the judges appointed by that authority to give sentence upon it: thirdly, what power they had to add any thing to it, and interpose a new covenant of mutual assistance to each other, against any other power that should oppose them, none excepted? and, fourthly, that all leagues of subjects among themselves, without the privity and approbation of the king, are declared to be seditious by two parliaments in Scotland; one, of the tenth parliament of James the Sixth, act the twelfth; and the other, the fifteenth act of the ninth parliament of queen Mary.

What answer the covenanters made to these objections, and what arguments the king used to enforce the contrary, are largely expressed in many writings; being such, indeed, as not only then, but since, in the sad calamities of England, have been discoursed of in whole volumes; containing all that can be said concerning the true rights and privileges of princes and people.

The covenant, notwithstanding, was generally sub-

scribed by all there present at Edinburgh, in February 1638, and copies of it sent abroad to those who were absent, and [were] so fast subscribed by them also, that before the end of April he was scarce accounted one of the reformed religion that had not subscribed to this covenant. And the church and state were divided into two names, of covenanters and non-covenanters; the non-covenanters consisting, first, of papists, whose number was thought small in Scotland, scarce exceeding six hundred; secondly, [of] some statesmen in office and favour at that time; thirdly, [of] some, who, though they were of the reformed religion, were greatly affected to the ceremonies of England and [the] Book of Common Prayer.

Many bishops at that time came from thence to the court of England, and three lords of the council of Scotland, whom the king had sent for, to advise about the affairs of that kingdom; where, after many debates what course to take, whether of reducing the covenanters by arms, or using more gentle means, the king at last sent the marquis Hamilton, together with those three lords, into Scotland.

The marquis arrived at Dalkeith, and within few days entered Edinburgh, in June, being met and conducted into the city by a great multitude of all ranks, in which number were seven hundred pastors of churches.

The marquis, by the king's command, dealt with the covenanters to renounce their covenant, or else told them there was no hope to obtain a national synod, which they so much desired, for settling of the church, which, they affirmed, could not be done without manifest perjury and profanation of God's name.

But when nothing was agreed upon, they besought the marquis, at his return into England, to present

their humble desire to the king : but before his departure, in July, he published the king's proclamation, wherein his majesty protests to defend the protestant religion ; and that he would no more press upon them the book of Canons or Service Book but by lawful mediums ; that he would rectify the high commission, and was resolved to take a speedy opportunity of calling both a parliament and [a] synod.

When the proclamation was ended, the covenanters read their protestation, of which the heads were : that they never questioned his majesty's sincerity in the protestant religion : that these grants of his were not large enough to cure the present distempers ; for he doth not utterly abolish that Service Book nor the high commission, being both obtruded against all law upon them : that their meetings are not to be condemned in opprobrious words, being lawful, and such as they would not forsake, until the purity of religion and peace might be fully settled by a free and national synod.

The marquis went into England to return at a prefixed day, the 12th of August. In the mean time the Scots keep a solemn fast ; and the covenanters, not hoping from the king so quick a call of a national synod as the present malady required, published a writing, wherein they endeavour to prove, that the church in such a condition may provide for itself ; "that the power of calling a synod, in case the prince be an enemy to the truth, or negligent in promoting the church's good, is in the church itself." And that the state of the church of Scotland at that time was necessitated to such a course ; which they endeavour to prove by reciting all their particular grievances, and by answering all arguments of the contrary side for the right of princes howsoever affected to religion ; as ap-

pears at large in their tractate concerning the necessity of synods.

The marquis returned into Scotland before the appointed day, and brought articles from the king, to which the covenanters, if they would have either parliament or synod, were required to consent.

But they utterly rejected those articles, as too invalid for their purpose of settling things; so that the marquis, fearing lest the covenanters, weary of delays, would call a synod without staying the king's consent, earnestly persuaded them to forbear it only till his next return from court, whither he would presently go to persuade the king. Which request of his, with much ado, was granted by them, and the day for his return appointed, the 22nd of September; by which time, unless the marquis returned, it was free for the covenanters to provide for their own affairs.

But the marquis, with singular diligence, prevented his day, and published the king's proclamation, of which the chief heads were: first, the king did abrogate all decrees of council for the Book of Canons and Common Prayer, and abrogate the high commission; secondly, that none should be pressed to the five articles of Perth; thirdly, that bishops should be subject to the censure of a synod; fourthly, that no oath should be given at ordination of pastors, but by law of parliament; fifthly, that the lesser Confession, of 1580, should be subscribed to by all the kingdom; sixthly, that the king called a national synod, to begin at Glasgow the 21st of November, 1638, and a parliament at Edinburgh the 15th of May, 1639; lastly, for peace-sake, he would forget all their offences past.

The covenanters, at the first hearing of this peaceful

message, were much joyed ; but, looking nearly into the words, they found (as they affirm) that their precedent actions were tacitly condemned, and the just freedom of a national synod taken away.

Therefore, loath to be deceived, they frame a protestation, not (as they alleged) misdoubting the candour of the king, but not trusting those in favour with him ; by whose destructive counsel they supposed it was that the king had not showed this clemency at first.

The chief heads of their protestation were these : first, after humble thanks to God and the king, they conceived this grant no sufficient remedy for their sores.

For his majesty calls that a panic fear in them, which was upon no imaginary but just grounds, as a real mutation both of religion and laws, by obtrusion of those books directly popish.

Secondly, whereas the king, in his former mandates, so highly extolled those books, as most religious and fit for the church, they could not be satisfied with a bare remission of the exercise of them, unless he would utterly abrogate and condemn them ; or else itching innovators would not be wanting hereafter to raise new troubles to the church about them.

Thirdly, the just liberty of national synods is diminished, and episcopacy set up, they being allowed, as bishops, though not deputed by the churches, to give their voices in a synod.

Fourthly, the subscribing again of that old covenant could not be admitted, for many reasons there at large expressed ; of which some are, that it would frustrate their late covenant, and make it narrower than before, and not able to suit to the redress of present grievances, and be a needless multiplying of oaths, and taking the

name of God in vain; with many other objections, which cannot be fully here inserted.

That covenant, notwithstanding, was solemnly taken at Edinburgh by the marquis of Hamilton, the king's commissioner, and all the privy-council.

The marquis then gave order for the synod, fearing lest the covenanters, if he delayed to call it, would do it themselves, and on the 16th of November came to Glasgow in great state.

Where, after many meetings for preparation to the business, on the 21st of the same month, according to the king's edict, the national synod began; but within seven days that synod was dissolved by the marquis Hamilton, in the king's name, and they commanded to sit no more.

The marquis alleging, for reason of it, that they had broken the laws of a free synod in many proceedings, not only in those few days of their sitting, but before it began, in their manner of elections; with other such like matters.

But they protested against that dissolution, and continued the synod when the marquis was gone. What were the acts of that synod, what proceedings it had, and what impediments it met withal, you may read in two large descriptions, the one published by the king, the other by the synod; how the bishops protested against the synod; how the synod answered their protestation; how the synod wrote to the king; how they proceeded against the bishops, deposing them all from their dignities; how, of all the fourteen bishops, eight were excommunicated, four excluded from all ministerial function, and two only allowed to officiate as pastors; how the five articles of Perth, the Book of Liturgy, the Book of Canons and Ordination, were all condemned, the high commission taken away, and

whatsoever else had crept into the church since the year 1580, when that national covenant was first established.

The Scots covenanters, when themselves broke up the synod, wrote a letter of thanks to the king, and immediately after published a declaration, dated the 4th of February, 1638, from Edinburgh, and directed "To all the sincere and good Christians in England, to vindicate their actions and intentions from those aspersions which enemies might throw upon them."

That declaration was welcome to the people of England in general, and especially to those who stood best affected to religion, and the laws and liberties of their country: but by the king's authority it was suppressed, as all other papers that might be sent from the Scots; and a proclamation soon after, bearing date the 27th of February, 1638, was published by the king, and commanded to be read in all churches of England; the title of it was, "A proclamation and declaration to inform our loving subjects of England, concerning the seditious actions of some in Scotland, who, under false pretence of religion, endeavour the utter subversion of our royal authority."

The declaration was filled with sharp invectives and execrations against the Scottish covenanters; but the truth is, it wrought little upon the hearts of the English people, who conceived a good opinion of the Scots; and were more confirmed in it, because the king had carried the whole business so closely from the English nation, as not only not to declare unto them in a parliament, (which former princes used to call upon less occasions,) but not revealing the proceedings of it to the body of his privy-council, acquainting only some of them, whom he thought fittest for his purpose, as the king himself expresseth in two places of his own book,

entitled, "A large Declaration concerning the late tumults in Scotland," p. 76 and p. 126. In fine, the Scots are declared rebels; and the king in person, with an English army richly furnished, is going to chastise them.

CHAPTER V.

The averseness of the English people from this war with Scotland. The king advanceth to York with his army. The preparation of the Scottish covenanters. A pacification is made, and both armies disbanded. Another preparation for war with Scotland. A parliament called to begin in England on the 13th of April. The parliament of Scotland is broken off by command of the king to the earl of Traquair.

NEVER were the people of England so averse from any war, as neither hating the enemy against whom, nor approving the cause for which, they were engaged.

Their own great sufferings made them easily believe that the Scots were innocent, and wronged by the same hand by which themselves had been oppressed. And for the cause, it was such wherein they could not desire a victory; [as they naturally supposed] that the same sword which subdued the Scots must destroy their own liberties, and that the contrivers of this war were equal enemies to both nations.

Nor was this only the thought of wisest gentlemen, but the common people in general were sensible of the mutual interest of both kingdoms.

Those courtiers who were in all things wholly compliant to the king's will did also dislike this war with Scotland, though not for the same reason which the forenamed did; as not considering the cause or quarrel, but the disadvantages of the war itself.

Those disadvantages they used to vent in contemp-

tuous expressions of the poverty of Scotland ; “ that nothing could be gotten from such wretched enemies ; that the king were happy (if with his honour he might suffer it) to be rid of that kingdom, and would be a great gainer by the loss of it.” The younger courtiers were usually heard to wish Scotland under water, or that the old wall of Severus the emperor were now reedified.

Those courtiers that were of a graver discourse did likewise seem to fear the consequence of this business, and, I remember, would daily mention the story of Charles duke of Burgundy, his pressing of a war upon the Swissers ; and what Philip de Commines relates about the battle of Granson, that the duke lost to the value of three millions of crowns ; all which he fondly ventured against so wretched a people, that it is there expressed, if all the Swissers had been taken prisoners, they would not be able to pay a ransom to the value of the spurs and bridle-bits in his camp ; and very frequent in their mouths was that verse,

Curandum in primis, ne magna injuria fiat

Fortibus et miseris.

JUVENAL. VIII. 121.

Take heed of offering too great injuries

To people stout and poor.

But the people of England, though they abhorred the very thought of that unnatural war, yet glad they seemed to be that such an occasion happened, which might in reason necessitate the king to call an English parliament, and so, by accident, redress the many grievances of England : which might also prevent the fear of such wars for the future, and bring a just punishment upon those who were found to be the authors or assisters of this present disturbance.

But the king, though resolved to pursue his design of war, [yet,] rather than take the advice of a parliament,

was content to want the aid of it, and to seek supplies of a lower condition. Great sums of money he borrowed from the chief nobility; and required proportionable loans from all the judges and officers; but especially the clergy, of all ranks, were liberal in contribution to this war; which was then called by many men *bellum episcopale*.

All courtiers, as well extraordinary as ordinary, were summoned to attend the king in person with horse and arms, in a proportion suitable to their ranks.

By whom, and such volunteers of the gentry as came in to gain his majesty's favour, with old soldiers that embraced it as their profession, a gallant army was made up, York was appointed for the rendezvous, and the earl of Arundel commander-in-chief.

The king, as it was well known, had been advertised by many, and especially by the prosecuted bishops, who were fled out of Scotland, that the Scottish covenanters were in no sort able to resist him; that scarce any English army at all would be needful to fight, but only to appear, and his majesty would find a party great enough in Scotland to do the work.

And, indeed, much might have been done in that kind, if the lords of the covenant had not used a most dexterous and timely prevention, which is as necessary in a defensive as [in] an offensive war.

For besides the feared incursion of the English upon their borders, and what invasion the deputy of Ireland, on the western coast, might make, together with the earl of Antrim, and his forces from the Hebrides, the marquis Huntley in the north, and marquis Douglas towards the southern parts, with the earl of Heth, were to be feared, and the town of Aberdeen to be secured, before it could fortify to receive the king's fleet.

All which, with timely care, was undertaken and

provided against by several lords, as Argyle for the west, Montrose for the north, colonel Monroe for the south.

The most considerable forts in that kingdom were taken in at the beginning, without any blood or resistance, and furnished by them with ammunition, as Edinburgh and Dun-Britain ; and the haven of Leith, to secure Edinburgh, suddenly fortified. All neuters, or suspected persons, they disarmed without tumult. The castle of Dalkeith they scaled and took, with all the warlike provision which had been brought into it by marquis Hamilton the year before. In that castle they found the king's crown, sceptre, and sword; which, in great state and solemnity, were carried from thence by the greatest noblemen, and laid up in Edinburgh castle.

The covenanting lords at the same time published a long remonstrance, in answer to the king's proclamation against them, the 27th of February, and to satisfy the people of England concerning their proceedings and intents.

The marquis Hamilton arrived at Forth with a fleet in May, and sent letters to the governor of Edinburgh to obey the king's commands, and especially to publish in Edinburgh that proclamation which had been by the king proclaimed at York upon the 25th of April ; wherein, among other things, the rents and debts due to covenanters, from tenants and others, are forbidden to be paid to them.

The governor desired the marquis to expect an answer till the parliament sat, which was to begin within few days ; who [when they were assembled] returned answer to the marquis, that they could not in that obey his command, for many reasons, expressed at large in their commentaries.

In the mean time the king commanded the parliament to dissolve, which immediately obeyed; and, being threatened with war on every side, elected sir Alexander Lesley, an experienced commander in the German wars, to be their great general; to whom all the greatest earls and lords of the covenant swore obedience in all warlike commands; taking an oath of him for performance of his duty; and immediately betook themselves every man to his charge, throughout all parts of the kingdom, according as they were commanded by Lesley.

Whilst the armies on both sides advanced forward, and no decision of this difference seemed with reason to be hoped for, but such as the stroke of war must allow, the Scottish covenanters did, nevertheless, continue their first course of petitioning the king; and, by many addresses to him, protested their loyalty to his crown and person; and did not omit, by letters and messages, to solicit as advocates those English noblemen whom they esteemed [the] best and truest patriots, as the earls of Essex, Pembroke, and Holland, as supposing that this war was not approved of by any that were firm to the cause of religion and liberties of both kingdoms (for so themselves express it).

The earl of Dumferling, having free passage about that time to the English army, assured his fellow-covenanters, that those noble forenamed earls, and almost all the English nobility, were much averse from this war, and favourers of their suit to the king.

Which did so much encourage the covenanters to continue their humble petitions to the king, (and God being pleased to give his blessing,) that, after some few messages to and fro, the king was pleased to give leave that six of them should come and personally treat at the earl of Arundel's tent, upon the 10th of June,

with some of the English nobility; at which discourses, some few days after, the king himself vouchsafed to be present: at last, after many humble expressions of the covenanters, and some expostulations of the king with them, by the happy mediation of wise and noble counsellors, a pacification was solemnly made upon such articles as gave full satisfaction to all parties, save only that the Scottish covenanters were not pleased with some expressions which the king had used in the preface to the pacificatory edict, as, calling their late synod *pseudo-synodus Glasguensis*, and aspersing their proceedings in arms with such epithets as *tumultuous*, *illegal*, and *rebellious*.

Which notwithstanding, at the humble suit of them, the king was pleased to moderate, to expunge some of those harsh phrases; as likewise to explain more clearly other ambiguous sentences, to take away all suspicions from people's hearts; the copies of which were delivered to divers of the English nobility, who had taken faithful pains in procuring that happy peace; that, if any doubts should afterwards happen, their judgments might be taken concerning the intention of the writing.

The king also declared, for satisfaction of the Scots, that, though his expressions at some places might seem harsh, yet his meaning to them was never the worse; that care must be taken of his own reputation in foreign parts; and that litigation about words was vain when the matter was clear and their suit wholly granted.

The king granted them a free national synod, to be holden upon the 6th of August following, and a parliament to begin upon the 20th day of the same month, to confirm and ratify what the synod should decree; which the Scots thankfully receive, esteeming that to

be the only proper and efficacious way to settle a firm peace both in church and state.

They were also joyful that the king had promised to be there himself in person. But that hope afterwards failed them; for the king excused himself, affirming, that urgent and weighty affairs at London, as he was certified by letters from his queen and council, required his presence there; but that he would send a deputy thither, with full power to make good whatsoever he had promised; which was the earl of Traquair.

This pacification, to the great joy of good men, was solemnly concluded on the 18th of June, 1639¹ and both armies, within eight and forty hours, to be disbanded: which was accordingly done, and both the English and Scots returned home, praising God, who, without any effusion of blood, had compounded this difference, and prevented a war so wickedly designed.

But that joy lasted not long; for the earl of Traquair, the king's commissioner, could not agree with the Scottish parliament; the Scots complaining that nothing was seriously performed which the king had promised at the pacification; as shall more appear afterward.

But, however it were, within a little time after that the king had been at London, that paper which the Scots avowed to contain the true conditions of that pacification was by the king disavowed, and commanded by proclamation to be burned by the hands of the hangman: though the contents of that paper were not named at all in the proclamation, nor the people of England acquainted with any of them. Which put the English in great fear that the former counsels of divisions yet prevailed in the court, especially discerning a show of preparation for war again.

But (leaving the Scots at their parliament a while) in the mean time the lord Wentworth, deputy of Ireland, arrived in England, and was received by the king with great expressions of grace and favour, dignified with a higher title, and created earl of Strafford.

Great was the expectation of all the English what might be the effect of his coming over; great was the opinion which men in general had conceived of his ability and parts; looking at him as the only hinge upon which the state was now likely to turn. But very different and various were the conjectures of gentlemen at that time, in their ordinary discourses, (for I will relate the truth,) what use this great statesman would make of his ability and favour.

Some (as they wished) did seem to hope, when they considered his first right principles, that whatsoever he had acted since his greatness was but to ingratiate himself perfectly with the king; that so at last, by his wisdom and favour, he might happily prevail both upon the king's judgment and affection, and carry him from those evil counsels which he had long been nurtured in, to such ways as should render him most honourable and happy; that the earl was so wise as to understand what most became a wise man, and would make greatness beloved and permanent.

But others durst not hope so much from him when they considered his government in Ireland and the ambition of the man: they feared that neither his virtue was great enough to venture his own fortunes by opposing any evil counsels about the king, nor his favour great enough to prevail in overruling; that he was sent for only to complete that bad work which others of less brain than he had begun.

Which [bad work] he would sooner venture to do, than to make himself the author of a new and good

one ; seeing, it hath been observed, that few statesmen have ever opposed princes, but rather seconded and assisted them in their bad inclinations.

From whence it comes, that few statesmen have converted princes from ill courses, but been themselves perverted from that goodness which seemed to be before in them. Historians, therefore, neither imputed the goodness of Augustus to Marcus Agrippa or Statilius Taurus ; nor [the faults of Tiberius] to Sejanus. According to that sentence of Machiavel, *Recta consilia, a quocunque profiscuntur, a principis prudentia ; non autem principis prudentia a rectis consiliis derivatur.*

At that time the king declared to his council an intention that he had of calling a parliament in England, to begin in April following. The people seemed to wonder at so great a novelty as the name of a parliament ; but feared some further design, because it was so long deferred : whilst, in the mean time, preparations for a war against Scotland seemed to go forward, and the deputy of Ireland was first to go over, and summon a parliament in Ireland, which he accordingly did, crossing the seas about the end of December.

What work he was to do there the people knew not, but wished that the English parliament might have begun before the Scottish business had proceeded too far ; which [meeting of the English parliament] they supposed might happily prevent so sad a war, and save those charges which would before April grow upon such warlike preparations, and require a supply from that parliament : [for] that it were better to prevent such a necessity than purposely to stay till that necessity were made.

On the 18th day of that December, the earl of Traquair, by a command from the king, under his privy

seal, broke up the parliament in Scotland, and prorogued it till the 2nd day of June in the following year.

The Scots complained that it was a new example and breach of their liberties, not heard of before in twenty ages, that a parliament, fully assembled, and complete in all her members, whilst business of moment was depending, should be dissolved without the consent of the house itself; that, whatsoever kings in other kingdoms might do it concerned not them to inquire, but it was absolutely against their laws, according to which the king had lately promised them he would only proceed.

Traquair, immediately upon the dissolution of the Scottish parliament, hastened to the court of England to certify the king of all proceedings.

And the parliament deputies of Scotland despatched away with special instructions to the king also four commissioners, the earls of Dumferling and Lowden, Douglas and Barclay.

Their instructions were, that before the king himself, not the council of England, (because of the independency of that kingdom,) they should complain of those injuries, and entreat redress, which had been offered to them since the pacification; the dissolving of their parliament; the garrisoning of Edinburgh castle with three times as many [soldiers] as would serve for defence; the garrisoning of Dun-Britain castle with English soldiers; that the Scots trading in England, but more especially in Ireland, were enforced to new oaths, damning their late covenant, and contrary to the articles of pacification.

They sent withal an information to the English nation in general, touching all their proceedings and intentions, and expressing at large (as may be there

read) what particular injuries they had received since the pacification, and how much contrary to that agreement.

The four Scottish forenamed commissioners, after some audiences before the king, and divers of his English council, were in March committed to prison, the king intending shortly to charge them, the parliament being near; Lowden to the Tower, and the other three to other custody.

About this time the earl of Strafford, returning out of Ireland, where he had held a short parliament, and gotten four subsidies from them, came to the king again; and, the English parliament being presently to begin, an accusation was drawn against Lowden, then prisoner in the Tower, concerning a letter written from the Scottish covenanters to the French king; to which epistle the [said] earl had set his hand.

The matter of accusation was, that the Scots, weary of obedience to their own king, had recourse to a foreign prince for assistance, and by that means might draw the armies of France into this island.

His answer was, the letter was written in May 1639, when Scotland was threatened with a grievous invasion, and they had notice that, by ambassadors and agents, their cause was represented odious to all foreign princes and states; that their intention was to clear themselves from those aspersions abroad, and especially to the king of France, whose ancestors had been ancient friends to the kingdom of Scotland, and for fear lest that king might possibly be wrought upon to be their enemy otherwise.

That it was not to draw warlike assistance from the king of France, (which nevertheless they thought lawful in an extreme necessity and persecution,) but only his mediation in their behalf to their own king; and

A mistake: the true date is April 1639. C. also ante-dates this.

that the letter, well examined, would bear no other sense ; though there were mention of aid, yet their secret instructions to their messenger had specified what kind of aid it was which they desired ; but, howsoever, they alleged, that the draught of that letter did not then please them, nor was it at all consented to, nor intended to be sent ; besides that, the superscription, *To the King*, at which so great exception was taken, as if they acknowledged the French king for their sovereign, was not written at all by them, but added by some enemy after that it was gotten out of their hands. Besides all this, the thing was done before the pacification and act of oblivion, and ought not now to be remembered against them. Whether their answer were sufficient or not, true it is, that nothing at all was made of that business, though the king himself, at the beginning of the English parliament, mentioned it against the Scots as a proof of their disloyalty, and justification of those warlike preparations which he had made against them.

The Scots in the mean time had written to the English parliament a large justification of all their proceedings, entreating them, by the way of brotherly advice, to be wary in vindicating their own laws and liberties, to frustrate the design of those evil counsellors who had procured this parliament for no other end than to arm the king with warlike supplies against his Scottish subjects, and by that war to enslave, if not ruin, both the nations ; that, after so many violations and dissolutions of parliaments in England, this was not called to redress grievances, but to be so overreached (if they were not careful and courageous) that no possibility should be left for the future of redressing any ; that some dangerous practice might be well suspected, when, at the same time, a parliament was denied to

Scotland, though promised by the word of a king ; granted to England when not expected ; and obtruded upon Ireland when not desired.

Many particulars of that nature were expressed in the Scottish Remonstrance.

CHAPTER VI.

The parliament beginneth in England, but is soon dissolved. The clergy continue their convocation. The Scots enter into England. Some passages of the war. A parliament is called to begin on the 3rd of November. A truce between the armies for two months.

UPON the 13th of April the parliament began ; when the king produced that forenamed writing of his Scottish subjects to the French king, as an apparent token of their disloyalty, and a necessity in him of chastising them by arms ; for which he had already made so great a preparation, as required a present supply of money from this parliament. To the same purpose that the king had briefly expressed himself, the lord keeper Finch, in a long and eloquent oration, dilated the business.

Twelve subsidies were demanded by the king, in lieu of which, the release of shipmoney was promised ; to which demand answer was made by divers members of the house in several speeches, that redress of grievances was the chief end of assembling parliaments, and ought to precede granting of subsidies. Which not only reason but the constant practice of all ages had confirmed ; that there was never more need of redressing grievances than at this time, without which the people would repine to part with twelve subsidies ; that the sum was extraordinary great, especially to be

given for releasing of that which they never conceived the king had any title to, but had taken by power against the laws.

The king promised that grievances should be afterwards redressed, but required the money first, because there was a necessity of hastening the war, without which the opportunity of summer would be lost. To which it was answered by many, that the people had no reason to pay for that which was never caused nor desired by them, nor could any way prove to their good, but, quite contrary, to the danger and detriment of the whole kingdom; that the same people would undoubtedly pay with more willingness so many subsidies to prevent that unhappy war, to settle the state, and punish the principal contrivers or assisters of that disturbance.

Among all the gentlemen of the house of commons who spake to that purpose, the lord George Digby, son to the earl of Bristol, (a young nobleman of extraordinary abilities,) was eminent for a speech there; wherein complaining that the house was required to give present answer concerning supplies to the king to engage himself in a war, and that a civil war; "for," said he, "so I must needs call it, seeing we are of the same religion and under the same king." He divided his complaint into five heads :

1. We are not permitted to redress grievances at all.
2. We are not permitted so much as to represent to his majesty the disaffection of his subjects to this war.
3. We are not permitted to say, that we think they are the same persons that are the causers of our grievances and the grievances of Scotland, and that the cutting off of those incendiaries of state would be a safe, easy, and honourable cure.
4. That war will make the breach wider and the remedy desperate.

5. That the best justice is, to fill the pits which are made to entrap others with the bodies of those that digged them, &c.

Master Pym, also, a grave and religious gentleman, in a long speech of almost two hours, recited a catalogue of all the grievances which at that time lay heavy upon the commonwealth.

Of which many abbreviated copies, as extracting the heads only, were with great greediness taken by gentlemen and others throughout the kingdom; for it was not then in fashion to print speeches of parliament.

Divers of the members besides (too many to be here named) did fully descant upon such particular grievances as they had informed themselves of in their several counties and boroughs.

But it is most true, though it have been said, *Quicquid multis peccatur, inultum est*, that there was never any parliament which was more unanimous in apprehension of grievances, and yet more moderate in the language and manner of declaring against them. And so great seemed to be their care of offending in this parliament, (being the first that in so many years had been granted to England,) that, notwithstanding they perceived [that] the money they were to give to the king must be employed against their own interest, yet they took the subsidies into consideration; by which they might, perchance, gain the king's affection to parliaments; and were content to hope, that, whilst the houses sat, the bad council about the king might be awed into moderation, and the war against Scotland, by wise and honest interpositions, might be again composed, as it had been the summer before.

But whilst the business was in debate, whether they were not quick enough in granting, or the conditions

were too much feared by the king, I will not judge, but only relate what was done.

The king in person came into the house upon the 5th of May, and dissolved the parliament, but used fair language to them, protesting that he would govern as much according to law as if a parliament were constantly sitting; yet, the next day after the dissolution of it, some members were imprisoned; the lord Brooke was searched for papers, his study, cabinets, and pockets; master Bellosis and sir John Hotham were committed to prison for speeches, but soon discharged; master Crew, who was a member of the house of commons, and was in the chair for petitions concerning ministers, was committed to the Tower, for not discovering some petitions delivered to him in parliament, and continued a prisoner almost to the beginning of the next parliament.

After the dissolution of this parliament, the convocation of divines continued their sitting, and by authority from the king made divers canons, and an oath to be imposed not only upon clergymen, but on many of the laity.

That continuance of the convocation (whatsoever themselves, perchance ignorant of the law, might think of it) was judged [to be] very illegal; as it appeared by the votes of the succeeding parliament and the opinion of lawyers delivered there.

When master Bagshaw, the November following, inveighing against those canons which were made whilst they sat, proved the bishops and clergy in a *præmunire*; the lord Digby at the same time affirming, that their convocation was a new synod, patched out of an old conventicle. Many other lawyers of note, at several times, argued the case concerning those canons.

Insomuch that the house of commons, in December following, *nullo contradicente*, resolved that those canons were against the fundamental laws of the kingdom, the property and liberty of the subject; and in the following April, 1641, falling again upon the late convocation, for their canons and other misdemeanours, they voted the convocation house in 200,000*l.* fine to the king; the archbishop of Canterbury to pay 20,000*l.*, the archbishop of York 10,000*l.*, the bishop of Chester 3,000*l.*, and the rest of the clergy, according to their abilities, proportionably, to make up the sum.

Certain it is, it was not in any substantial way advantageous to the king; but only to give them time and opportunity to tax the clergy in money for supplying his majesty in the war then on foot against the Scots.

The king must needs be driven to a great exigent at that time, having so expensive a war in hand, and wanting the assistance of parliament.

The courses that were then taken by the king to supply that defect were, partly, the contribution of the clergy, to whom that war was less displeasing than to the laity.

Collections were made among the papists; writs of shipmoney were issued out again, in a greater proportion than before; great loans were attempted to be drawn from the city of London, to which purpose the names of the richest citizens were by command returned to the council-board. But these ways being not sufficient, some others were made use of, which were of a nature more unusual, as the seizing of bolloine [or bullion] in the Tower; the lord Cottington also, for the king's use, took up a great commodity of pepper at the exchange, to be sold again at an under rate.

A consultation was also had of coining 400,000*l.* of base money, upon allegation that queen Elizabeth had done the like for her Irish wars; but the king waved that, upon reasons which the merchants gave of the inconveniences of it.

The Scots, hearing of the breach of this English parliament, thought it high time to provide for their own safety; and, being restrained in their trade, and impoverished by loss of ships seized in divers parts, resolve to enter England with a sword in one hand and a petition in the other; signifying in the mean time to the people of England, in two large remonstrances, what their intentions were to that nation, and the reasons of their entrance; which whoso pleases may read at large in their printed book.

When the king had notice of the Scots' intentions, a fleet was forthwith sent to annoy the maritime coasts of Scotland, and a land army to meet at York, where the earl of Strafford, as president of the north, commanded in chief, though the earl of Northumberland, at the time of raising the army, was named generalissimo, but, for want of health, could not be present.

A great magazine of ammunition had been sent to Hull, Newcastle, and Berwick, the castle of Edinburgh being kept by Riven, a firm man to the king's side.

But in the expedition of the king's army towards the north, it was a marvellous thing to observe in divers places the averseness of the common soldiers from this war.

Though commanders and gentlemen of great quality, in pure obedience to the king, seemed not at all to dispute the cause or consequence of this war, the common soldiers would not be satisfied, questioning

in a mutinous manner, whether their captains were papists or not, and in many places were not appeased till they saw them receive the sacrament; laying violent hands on divers of their commanders, and killing some, uttering in bold speeches their distaste of the cause, to the astonishment of many, that common people should be sensible of public interest and religion, when lords and gentlemen seemed not to be [so].

By this backwardness of the English common soldiers, it came to pass that the war proved not so sharp and fatal to both nations as it might otherwise have done.

Some blood was shed, but very little, first, at Newburne, a town five miles distant from Newcastle, where part of the English army encamped to intercept the passage of the Scots, as they marched toward Newcastle.

But many of the English soldiers forsook their commanders and fled, sooner than the use of that nation is to do in war; but the English horse made good a fight, and with great courage and resolution charged upon the Scots, but all in vain, their number being too small.

In this skirmish, which happened upon the 28th of August, the number of men slain on both sides is not related, either by the English or Scottish relation; but certain it is, that it was not great.

Three valiant and active commanders of the English army were taken prisoners, colonel Wilmot, sir John Digby, and O'Neal, the two latter being papists, and both captains of horse.

This fight opened that rich town of Newcastle to the Scots, and within [a] few days after they put a garrison into Durham, commanded by the earl of Dumferling, and, taking that fort of Newcastle-upon-Tyne, inter-

cepted some ships which were newly arrived there with provision of corn for the king's army.

Some blood was also shed about the same time, when part of the English garrison at Berwick, hearing that some ammunition was laid up in a little town of Scotland, Dunsian, made an attempt upon it, but found it better fortified than was expected, and were repelled with some slaughter; from whence, hearing that a greater power of Scots was making toward them under the command of the lord Hadinton, (who unfortunately perished afterward, blown up with powder at Dunglass,) they returned to Berwick.

The king, during these skirmishes, had, by proclamation, warned all the English nobility, with their followers and forces, to attend his standard at York against the Scots, [on] the 20th of September; where, whilst himself in person resided, he received an humble petition from the Scots, containing an expression of their loyalty to him, and the innocence of their intentions toward England.

But their expressions were in such general terms, that the king returned answer to the earl of Lanrick, secretary for Scotland, commanding them to specify their demands more particularly: which whilst the Scots prepared to do, it pleased God to open the hearts of many English lords, who, considering and bewailing the great calamity and dishonour which England was then thrown into, by these unhappy proceedings of the king, framed an humble letter, subscribed by all their hands, and sent it to his majesty, wherein they represent to him the miserable condition of the kingdom, and mischiefs attending that wicked war; as, the danger of his person, the waste of his revenue, the burden of his subjects, the rapines committed by that army which he had raised; wherein

papists, and others ill affected to religion, are armed in commands, who are not by the laws permitted to have arms in their own houses ; the great mischief which may fall upon the kingdom, if his intentions, which are reported, of bringing in Irish and foreign forces, should take effect ; the urging of shipmoney ; the multitude of monopolies and other patents, to the great and universal grievance of his people ; the great grief of the subjects for the long intermission of parliaments, for dissolving of the last, and former dissolutions of such as have been called, without any good effect : for remedy whereof, and for prevention of future dangers to his own royal person and the whole state, they humbly entreat his majesty, that he would be pleased to summon a parliament within some short and convenient time, whereby the causes of these and other great grievances, which the people lie under, may be taken away, and the authors and counsellors of them may be brought to legal trial and condign punishment ; and that this war may be composed without blood, in such manner as may conduce to the honour and safety of his majesty, the comfort of the people, and uniting of both kingdoms against the common enemy of the reformed religion. Subscribed by almost twenty earls and barons.

The king, receiving this message from the peers of England, by his proclamation ordained a day, which was upon 24th of September, for all the lords to meet at York, to whom he declared, that, of his own free accord, he had determined to call a parliament in England, to begin as soon as possibly could be, allowing the usual time for issuing out of writs, which was upon the 3rd of November ensuing, 1640.

But he desired, first, to consult with them what answer to return to the Scots' demands, and how with his

honour he might deal with them who had so boldly invaded England.

And, to make them understand the whole state of the business, he commanded the earl of Traquair, who had been his commissioner there, to relate all occurrences since the beginning.

He desired likewise their advice, how his army might be paid before [the] supplies of parliament could come.

After many debates, and different opinions in point of honour and convenience, it was at last agreed by the greater part of peers, and so concluded, that sixteen lords should be chosen to treat with the Scots, and agree upon what conditions they thought fit.

Eight earls were named, Bedford, Essex, Hartfort, Salisbury, Warwick, Holland, Bristol, and Barkshire; as likewise eight barons, Wharton, Paget, Kimbolton, Brooke, Pawlet, Howard, Savile, and Dunsmore.

The Scots were required to send as many, with full commission, to whom letters of safe-conduct in the amplest manner were granted.

When the matter came to debate, the earl of Bristol for the most part was prolocutor to the English, and the earl of Lowden to the Scots.

After many demands on both sides, and expostulations upon slighter matters, which were easily reconciled, there was one point which seemed too hard a case in the eyes of the English peers, that the Scottish army should be paid by the English whilst their own army was in great distress by reason of arrears.

But in conclusion, those honest lords, who understood the condition of that unhappy war, were content upon any terms to make an end of it; and in conclusion an agreement was made upon these terms:

1. A truce, or cessation of arms, for two months, till the 16th of December.

2. That 850*l.* a day should be paid to the Scots during that truce.

3. That if it were not paid, the Scots might force it from the counties of Northumberland, Cumberland, Westmorland, and Durham.

4. That those counties should be allowed the Scots for their winter-quarters.

5. No new preparations for war to be made.

6. That private injuries should not break the truce, so satisfaction were made upon complaint.

7. That merchants might freely traffick in either kingdom, without letters of safe-conduct, but soldiers without leave might not pass their limits.

Upon such terms was this unnatural war (although the armies could not as yet be disbanded) brought to a cessation ; and both nations rested in assured confidence that a peace must needs follow, since the whole matter was now to be debated in the English parliament, which was to begin about a fortnight after ; for it was likely that a parliament should put a period to that war which could never have been begun but for want of a parliament. They were also confident that that freedom which the fundamental laws and constitution of the kingdom of England allow to parliaments, could not be denied to this, (though to many others it had long been,) as being that parliament to which the king was necessitated, and the only way which was now left him to tread, after so many deviations unfortunately tried ; and upon which the people had set up their utmost hope, whom it seemed not safe, after so long suffering, to provoke any further.

In what a desperate condition the kingdom of England was at that time, what necessity there was of a present cure, with how much difficulty that cure was to be wrought, and with what wariness and wisdom it concerned both king and people to play their parts, a

judicious reader may partly conjecture by the former passages already related.

But further to enlighten the reader, (for in this plain relation I shall be sparing to use any descants of my own,) I will refer him to speeches which at the beginning of this parliament were made by judicious gentlemen, and those of greatest moderation, labouring, as much as they could possibly, to spare the king, and touch tenderly upon his honour; which I shall mention anon.

According to the reason of the parliament and kingdom, went along the sense of courtiers themselves, (as was expressed in an ingenuous treatise found in the privy-chamber,) concerning the condition in which the king and kingdom of England were, when this so much expected parliament was to begin.

CHAPTER VII.

The beginning of the English parliament. Grievances examined. Sufferers relieved. Delinquents questioned. The archbishop of Canterbury committed to the Tower. The flight of secretary Windebank and of the lord keeper Finch.

ON the 3rd of November 1640 the parliament began; where the king expressed himself very well in a speech gracious and acceptable to both houses, who did not expect from him any such acknowledgment of former errors, as might seem too low for the majesty of his person, but only desired to gain his affection for the future.

Very pleasing to them all was that gracious expression, that he did now clearly and freely put himself upon the love and affections of his English subjects, desiring them to consider the best way for the safety

and security of the kingdom of England ; and in order to it, for satisfaction of their just grievances, wherein he would so heartily concur, that the world might see his intentions were to make it a glorious and flourishing kingdom. In which business he did freely and willingly leave it to them where to begin.

He desired also that all jealousies and suspicions might be laid aside by them, which he promised to do on his part. And withal, to give some reasonable colour to his former war, whether to excuse or justify the proceedings of it, he seemed as yet much distasted with the boldness of the Scots, who had entered England with an army against his will, calling them by the name of rebels, and that it concerned the honour of him and England to drive them out again.

And in his second speech, two days after, "I told you," said he, "that the rebels must be put out of this kingdom ; it is true, I must needs call them so, so long as they have an army that do invade us ; although I am under treaty with them, and under my great seal do call them subjects ; for so they are too."

His desire to have them out was sweetened with that reason, that he was sensible how much his English subjects of the north would suffer otherwise.

All which, with more particulars, was set forth in a long oration by the lord keeper Finch, who likewise justified the king's intention of calling this parliament before the peers petitioned him at York.

Though the king were thanked for his grace towards his English parliament, yet that motion of expelling the Scots was otherwise considered of by the houses, as will appear in the particulars of it: for, about a week after, it was ordered by the house of commons, that 100,000*l.* should be paid to the two armies, to be

levied ratably upon all the counties of England, (except the northern counties, which were then charged,) and, till it could be levied, the money to be taken up at interest.

And Scottish commissioners were allowed to come and exhibit their complaints and dispute the business at London; who accordingly came thither about the 19th day of the same month; for the business was not yet ended, but still in treaty, which treaty (as the king said in his speech) was but transported from Rippon to London.

Before the great cure, which was expected from this parliament, could go on, it was necessary that some time should be spent in searching and declaring the wounds, which, in divers elegant and judicious speeches, was done by some members of both houses.

The abuses which of late years had been committed about religion, and the manifold violations of laws and liberties, were upon the first day after the house of commons was settled, being the 9th of November, enumerated and discoursed upon by master Grimston, sir Benjamin Rudyerd, master Pym, and master Bagshaw; and the abuses of Ireland, reflecting much upon the earl of Strafford, were opened by sir John Clotworthy of Devon, but living in Ireland.

The like speeches, for many days following, were made by divers gentlemen of great quality, where, in the midst of their complaints, the king was never mentioned but with great honour, they always mixing thanks for the present hope of redress with their complaints of former grievances.

The first of which they rendered to the king, and threw the other upon his ministers; of which, if the reader would see a perfect exemplar, sir Benjamin Rudyerd's speech (the second that was delivered in the

house) will best discover the present state of grievances, and the way of sparing the king, [he being] a religious, learned, and judicious gentleman,

Cujus erant mores qualis facundia.

Whose speech I shall wholly insert, that the condition of the state may the better be understood.

MASTER SPEAKER,

We are here assembled to do God's business and the king's, in which our own is included, as we are Christians, as we are subjects: let us, first, fear God, then shall we honour the king the more: for I am afraid we have been the less prosperous in parliaments because we have preferred other matters before him. Let religion be our *primum quærite*; for all things else are but *et cæteras* to it: yet we may have them too, sooner and surer, if we give God his precedence.

We well know what disturbance hath been brought upon the church for vain, petty trifles; how the whole church, the whole kingdom, hath been troubled, where to place a metaphor, an altar.

We have seen ministers, their wives, children, and families, undone, against law, against conscience, against all bowels of compassion, about not dancing upon Sundays: what do these sort of men think will become of themselves, when the Master of the house shall come and find them thus beating their fellow-servants?

These inventions were but sieves, made of purpose to winnow the best men; and that is the devil's occupation.

They have a mind to worry preaching; for I never yet heard of any but diligent preachers that were vexed with these and the like devices.

They despise prophecy, and, as one said, they would fain be at something were like the mass, that will not bite; a muzzled religion. They would evaporate and dispirit the power and vigour of religion, by drawing it out into solemn and specious formalities, into obsolete, antiquated ceremonies, new furbished up. And this (belike) is that good work in hand which doctor Heylin hath so celebrated in his bold

pamphlets : all their acts and actions are so full of mixtures, involutions, and complications, as nothing is clear, nothing sincere, in any of their proceedings. Let them not say that these are the perverse suspicions, malicious interpretations, of some factious spirits amongst us, when a Romanist hath bragged and congratulated in print, that the face of our church begins to alter, the language of our religion to change : and Sancta Clara hath published, that if a synod were held *non intermixtis puritanis*, setting puritans aside, our Articles and their religion would soon be agreed.

They have so brought it to pass, that under the name of *puritans* all our religion is branded, and under a few hard words against Jesuits all popery is countenanced.

Whosoever squares his actions by any rule, either divine or human, he is a puritan : whosoever would be governed by the king's laws, he is a puritan.

He that will not do whatsoever other men would have him do, he is a puritan. Their great work, their masterpiece, now is, to make all those of the religion to be the suspected party of the kingdom.

Let us further reflect upon the ill effect these courses have wrought, what by a defection from us on the one side, a separation on the other ; some, imagining whither we are tending, made haste to turn, or declare themselves papists beforehand ; thereby hoping to render themselves the more gracious, the more acceptable. A great company of the king's subjects, striving to hold communion with us, but seeing how far we were gone, and fearing how much further we would go, were forced to fly the land, some into other inhabited countries, very many into savage wildernesses, because the land would not bear them. Do not they that cause this cast a reproach upon the government ?

Master Speaker, let it be our principal care, that these ways neither continue nor return upon us ; if we secure our religion, we shall cut off and defeat many plots that are now on foot by them and others. Believe it, sir, religion hath been for a long time, and still is, the great design upon this kingdom. It is a known and practised principle, that they who would introduce another religion into the church, must first trouble and disorder the government of the state, that

so they may work their ends in a confusion, which now lies at the door.

I come next, Master Speaker, to the king's business more particularly, which indeed is the kingdom's; for one hath no existence, no being, without the other, their relation is so near; yet some have strongly and subtly laboured [to make] a divorce [between them], which hath been the very bane of both king and kingdom.

When foundations are shaken, it is high time to look to the building. He hath no heart, no head, no soul, that is not moved in his whole man to look upon the distresses, the miseries of the commonwealth; that is not forward, in all that he is and hath, to redress them in a right way.

The king, likewise, is reduced to great straits, wherein it were undutifulness beyond inhumanity to take advantage of him: let us rather make it an advantage for him, to do him best service, when he hath most need, not to seek our own good, but in him and with him; else we shall commit the same crimes ourselves which we must condemn in others.

His majesty hath clearly and freely put himself into the hands of this parliament; and I presume there is not a man in this house but feels himself advanced in this high trust: but, if he prosper no better in our hands than he hath done in theirs who have hitherto had the handling of his affairs, we shall for ever make ourselves unworthy of so gracious a confidence.

I have often thought and said, that it must be some great extremity that would recover and rectify this state; and when that extremity did come, it would be a great hazard whether it might prove a remedy or ruin. We are now, Master Speaker, upon that vertical, turning point; and therefore it is no time to palliate, to foment our own undoing.

Let us set upon the remedy; we must, first, know the disease, but to discover the diseases of the state is (according to some) to traduce the government, yet others are of opinion that this is the half way to the cure.

His majesty is wiser than they that have advised him; and therefore he cannot but see and feel their subverting, de-

structive counsels, which speak louder than I can speak of them, for they ring a doleful, deadly knell over the whole kingdom ; his majesty best knows who they are. For us, let the matters bolt out the men, their actions discover them.

They are men that talk largely of the king's service, yet have done none but their own ; and that is too evident.

They speak highly of the king's power ; but they have made it a miserable power, that produceth nothing but weakness both to the king and kingdom.

They have exhausted the king's revenue to the bottom, nay, through the bottom, and beyond.

They have spent vast sums of money wastefully, fruitlessly, dangerously ; so that more money, without other counsels, will be but a swift undoing.

They have always peremptorily pursued one obstinate, pernicious course ; first, they bring things to an extremity ; then they make that extremity (of their own making) the reason of their next action, seven times worse than the former ; and there we are at this instant.

They have almost spoiled the best instituted government in the world for sovereignty in a king [and] liberty to the subject ; the proportionable temper of both which, makes the happiest state for power, for riches, for duration.

They have, unmannerly and slubberingly, cast all their projects, all their machinations, upon the king ; which no wise or good minister of state ever did, but would still take all harsh, distasteful things upon themselves, to clear, to sweeten their master.

They have not suffered his majesty to appear unto his people in his own native goodness.

They have eclipsed him by their interpositions. Although gross, condense bodies may obscure and hinder the sun from shining out, yet he is still the same in his own splendour. And when [those bodies] are removed, all creatures under him are directed by his light [and] comforted by his beams.

But they have framed a superstitious, seeming maxim of state for their own turn, that if a king will suffer men to be torn from him, he shall never have any good service done him. When the plain truth is, that this is the surest way to preserve a king from having ill servants about him ; and

the divine truth likewise is, *Take away the wicked from the king, and his throne shall be established.*

Master Speaker, now we see what the sores are in general; and when more particulars shall appear, let us be very careful to draw out the cores of them, not to skin them over with a slight, suppurating, festering cure, lest they break out again into a greater mischief; consider of it, consult, and speak your minds.

It hath heretofore been boasted, that the king should never call a parliament till he had no need of his people. These were words of division and malignity. [For] the king must always, according to his occasions, have use of the people's power, hearts, hands, [and] purses; [and] the people will always have need of the king's clemency, justice, [and] protection: and this reciprocation is the strongest, the sweetest union.

It hath been said too of late, that a parliament will take away more from the king than they will give him. It may well be said, that those things which will fall away of themselves will enable the subject to give him more than can be taken any way else. Projects and monopolies are but leaking conduit-pipes; the exchequer itself, at the fullest, is but a cistern, and now a broken one: frequent parliaments only are the fountains; and I do not doubt but in this parliament, as we shall be free in our advices, so shall we be the more free of our purses, that his majesty may experimentally find the real difference of better counsels, the true, solid grounds of raising and establishing his greatness, never to be brought again (by God's blessing) to such dangerous, such desperate perplexities.

Master Speaker, I confess I have now gone in a way much against my nature, and somewhat against my custom heretofore used in this place. But the deplorable, dismal condition, both of church and state, hath so far wrought upon my judgment, as it hath convinced my disposition; yet am I not *vir sanguinum*; I love no man's ruin; I thank God I neither hate any man's person nor envy any man's fortune; only I am zealous for a thorough reformation in a time that exacts, that extorts it. Which I humbly beseech this house may be done with as much lenity, as much mode-

ration, as the public safety of the king and kingdom can possibly admit.

In so great a concurrence of business and weighty affairs, concerning the safety and the very being of three kingdoms, as far as the parliament had leisure to consider and redress the damages or other injuries of particular persons, their first care was to vindicate distressed ministers, who had been imprisoned or deprived by the bishops, and all others who in the cause of religion had been persecuted by them: many of those ministers, within few weeks after the beginning of the parliament, were released from durance, and restored to their charges, with damages from their oppressors; many doctors and other divines, that had been most busy in promoting the late church innovations about altars and other ceremonies, and therefore most gracious and flourishing in the state, were then questioned and committed; insomuch as the change, and the suddenness of it, seemed wonderful to men, and may worthily serve as a document to all posterity,

Quam fragili loco starent superbi,

In what frail places stand the proudest men.

Among divers others of this kind, and the most remarkable of all, was that relief which the parliament, immediately upon their first sitting, gave to three persecuted gentlemen, doctor Bastwick, a physician, master Prynne, a lawyer, and master Burton, a minister.

The whole passage of whose story we will here insert in one continued discourse, that it may not hereafter interrupt any other relations of business.

These three men, for the same offence, or very little differing in substance, (as those that read their extant books may perceive,) not being able to contain themselves in such a cause, had written against the manner

of English episcopacy and those inconveniences or extravagances which, as they conceived, flowed from it, to the prejudice of purity in religion; for which offence they were all three heavily censured in the high commission court, at several times, and committed to several prisons, where they long remained in durance, till afterward their cause was brought into the starchamber, where they received a sad doom; and the same day stood all three upon pillories in Westminster Palace-yard, where their ears were likewise cut off^b.

It seemed, I remember, to many gentlemen, (and was accordingly discoursed of,) a spectacle no less strange than sad, to see three of several professions, the noblest in the kingdom, divinity, law, and physic, exposed at one time to such an ignominious punishment, and condemned to it by protestant magistrates, for such tenents in religion as the greatest part of protestants in England held, and all the reformed churches in Europe maintained.

But the court of starchamber seemed to take cognizance only of their unlawful publishing those tenents, and disobedience to the authority then in being.

This was but the beginning of their punishment; they were afterward banished to remote places of the kingdom, and there kept in close and solitary confinement, and not allowed pen and paper, nor the

^b On the 30th day of June, 1637. The lords or members of the court of starchamber, who were principally concerned in passing this cruel sentence, were, sir Thomas Coventry, the lord keeper of the great seal, lord Cottington, and sir John Finch, who was at that time chief justice of the court of common pleas. See the selection from the Harleian Miscellany, in one volume quarto, printed for Kearsley, bookseller, in Fleet-street, No. 46, in the year 1793, in pages 314—324 of the said volume.

sight of any friends, no not so much (for two of them were married) as of their own wives. Their imprisonments, at several removes, were in the castles of Lancaster, Lancaster, Carnarvon, and the isles of Scilly, Guernsey, and Jersey.

These three, within five days after the parliament began to sit, were sent for home from their banishment; and accordingly master Prynne and master Burton, upon the 28th of November, came into London, (doctor Bastwick within few days after, in the same manner,) being met upon the way, some few miles from London, and brought into the city by five thousand persons both men and women, on horseback, who, all of them, wore in their hats rosemary and bays, in token of joy and triumph.

The discourses of men upon this action were very different: some, both of the clergy, of the court, and other gentlemen besides, did not conceal their dislike of it, affirming that it was a bold and tumultuous affront to courts of justice and the king's authority: others, who pitied the former sufferings of those men, and they that wished reformation in matters of justice, were pleased with it; hoping that it would work good effects in the king's mind, and make him sensible how his people stood disaffected to the rigour of such proceedings; and esteemed it as a good presage of the ruin of those two courts, the high commission and [the] starchamber; which proved true within half a year after.

How it wrought at that present upon the king is not known. But actions of that nature, where the people, of their own accords, in a seeming tumultuous manner, do express their liking or dislike of matters in government, cannot have always the same success, but work, according to the disposition of the prince or

governor, either to a sense causing reformation, or to an hatred of them as upbraiders of his actions, *aut corrigunt aut irritant*.

Within a month after, the business of these three men was, by order of the parliament, referred to committees to examine and report.

Upon which reports, not two months after, it was voted by the house of commons, that those judgments so given against them (but severally for every one of the three) were illegal, unjust, and against the liberty of the subject; and within a month after voted that they should receive damages for their great sufferings; and [that] satisfaction should be made them in money, to be paid by the archbishop of Canterbury, the high commissioners, and those lords who had voted against them in the starchamber; that they should be again restored to their callings, and receive, master Burton 6000*l.*, and master Prynn 5000*l.*; doctor Bastwick, in a vote by himself, was given the like sum.

As these were comforted after their sufferings, so other divines, (for the beginning of this parliament seemed a little doomsday,) after a short pleasure, were brought to their torment.

A committee was made to inquire of scandalous ministers; which appeared in two kinds (and were accordingly censured); either loose livers, and men of a debauched behaviour, (for many such were gotten into good preferments, and countenanced, to affront the puritans;) or else offenders in way of superstition: of the former sort many were in [a] short time accused, by degrees censured, and turned out of their livings: of the latter sort there was no small number of offenders; nor in likelihood could that which had been the way to all high preferments want walkers in it.

Among all the men of his rank, Dr. Cosins, master

of Saint Peter's college in Cambridge, was most noted for superstitious and curious observations in many kinds; a man not noted for any great depth of learning, nor yet scandalous for ill living, but only forward to show himself in formalities and outward ceremonies concerning religion, many of which were such as a protestant state might not well suffer.

This man was questioned upon many articles; some, by himself; some, where other divines were joined with him; imprisoned he was, [and] afterwards bailed; and, though deprived of some preferments, yet escaped without any great punishment, and was one of them in that crowd of offenders who might rejoice that the parliament had so much business.

But greater clergymen than Dr. Cosins were then to come upon the stage: bishop Wren, a man guilty of the same crime in superstition that Cosins was, as far as concerned his own person, but far more guilty as a magistrate, and able to impose it upon others, was upon the 19th of December accused of treason, and entered into a recognizance of 30,000*l.* to appear, with three sureties engaged each of them in bonds of 10,000*l.*

This Wren, being bishop of Norwich, a diocese in which there were as many strict professors of religion (commonly called *puritans*) as in any part of England, had there violently pressed superstitious ceremonies, or such as they conceived so, upon them, put down accustomed lectures, and deprived many ministers much beloved and revered among them. By which rigour he grew, accidentally, guilty of a wonderful crime against the wealth and prosperity of the state.

For many tradesmen (with whom those parts abounded) were so afflicted and troubled with his ecclesiastical

censures and vexations, that, in great numbers, to avoid misery, they departed the kingdom; some into New England and other parts of America, [and] others into Holland, whither they transported their manufactures of cloth; [which was] not only a loss by diminishing the present stock of the kingdom, but a great mischief by impairing and endangering the loss of that peculiar trade of clothing, which hath been a plentiful fountain of wealth and honour to the kingdom of England, as it was expressed in the parliament remonstrance. But more particular crimes were laid against the bishop, which there may be occasion to discourse of hereafter, in the proceedings against him.

The day before bishop Wren was accused, being the 18th of December, a greater man, both in church and state, William Laud, archbishop of Canterbury, was voted in the house of commons guilty of high treason; master Denzil Hollis, a member of that house, was sent up to the lords, to appeach him there; upon which he was sequestered, and confined to the black rod. He was also charged by the Scottish commissioners, together with the earl of Strafford, as a chief incendiary in the late war between both nations; and divers articles laid against him; which to examine and discuss further a committee was appointed.

Upon the 23rd of February, master Pymme made report to the house of commons what heinous and capital crimes were objected against him; upon which the house fell into a serious debate, and a charge of high treason, in fourteen articles, was drawn up against him; which charge, two days after, was sent from the house of commons by master Pymme up to the lords.

The archbishop was that day brought before the lords to hear that charge read; and it was there voted, that he should immediately be sent to the Tower; but upon

his earnest suit, for some special reasons, he was two days longer suffered to abide under the black rod, and then accordingly sent to the Tower; where we will leave him, till the course of this narration bring him to further trial upon those articles.

Civil offenders, as well as ecclesiastical, must needs be many in so long a corruption of government; of whom one, as he was first in time, and soon left the stage, besides his chief crime concerning matters of church and religion, so he shall first be named.

Sir Francis Windebank, principal secretary of estate, a great favourite and friend to the archbishop of Canterbury, and by his friendship, as was thought, advanced to that place of honour, was, upon the 12th of November, questioned in an high kind concerning popish priests; of whom, in that seven or eight years that he had been secretary, he had bailed a great number, and released many by his power, contrary to the laws made and then in force against them; which being examined by a committee, and certain to prove foul against him, as it did afterward, (for upon examination there were proved against him seventy-four letters of grace to recusants, within four years, signed with his own hand; sixty-four priests discharged from the Gatehouse, twenty-nine discharged by a verbal warrant from him,) he thought it his best course, before trial, to fly the land; so that, upon the 4th of December, news was brought to the house, that secretary Windebank, with master Read, his chief clerk, was fled; and soon after, notice was given that he arrived in France, where he long continued.

About that time came the great business of shipmoney into debate in parliament, and was voted by both houses to be a most illegal taxation and unsufferable grievance; in reference to which case almost

all the judges were made delinquents, for their extrajudicial opinions in it, as more particularly will afterward appear. As for other petty grievances, (such as were the multitude of monopolies upon all things and commodities of greatest and most familiar use,) the house daily condemned them; and the delinquents of meaner note in that kind, [who] were examined and censured, [were] too many to be here named; nay, so impartial was the house of commons in that case, that many of their own members, who had been guilty of such monopolies, were daily turned out of the house for that offence.

But the business of shipmoney did reflect with a deeper stain of guilt upon the then lord keeper Finch than upon any of the other judges whatsoever, for his great activity and labouring in it, by threats and promises working upon the other judges, as we find alleged against him.

Sir John Finch, in the year 1636, when that taxation of shipmoney was first plotted and set on foot, was newly made lord chief justice of the common pleas, a man in favour with the king and many of the greatest lords in court, having before been the queen's attorney; a gentleman of good birth, of an high and imperious spirit, eloquent in speech, though in the knowledge of the law not very deep.

Upon the death of the lord keeper Coventry, about December, 1639, the king was pleased to confer that high trust of keeping the great seal upon him; which office at this time he held.

Upon the 7th of December, when shipmoney was fully debated, and absolutely damned by the house of commons, and the offence of the judges began to be scanned, sixteen gentlemen of that house were chosen to examine those judges that had given their extraju-

dicial opinions for it, (for three gave their opinions otherwise: the arguments of two [of them,] judge Crooke and judge Hutton, were very famous; baron Denham, [who was the third,] by reason of sickness, could not declare his opinion in so large a manner,) [in order to discover] what threats or promises had been used to them and by what persons.

Upon which examination, and further light given, the next day a committee was named to draw up charges against the judges and against the lord Finch, then lord keeper, a charge of high treason. He, not many days after, became an humble suitor to the house of commons, that, before the charge of high treason were delivered against him, they would be pleased to hear him, *ore tenus*, in their own house.

His suit was granted; and the next day save one, in a long oration, he endeavoured to clear himself; but all in vain was that endeavour: though his deportment were very humble and submissive, and his speech full of persuasive rhetoric, it could not prevail to divert the judgment, though many in the house were moved to a kind of compassion.

He, either secretly informed by friends or himself perceiving by evident signs how things were likely to go with him, conceived it best to use a timely prevention, and the next day, disguised, fled, and soon crossed the seas into Holland.

After his flight, he was voted by the house of commons guilty of high treason for four causes:

1. Disobeying the house, in refusal to speak at their command, when he was speaker in parliament, in the fourth year of king Charles.

2. For threatening some judges in the matter of ship-money.

3. For his illegal and cruel judgments in the forest

business, when he was lord chief justice of the common pleas.

4. For drawing that injurious declaration after dissolution of the last parliament.

Upon which a charge was drawn up against him and carried up to the lords upon the 14th of Jan. [1640–41,] three weeks after his flight, by the lord Falkland, who presented it with a very pithy and sharp oration against the man.

These two last delinquents, (though men of eminent place in the commonwealth,) as they did not long trouble the parliament, nor much retard the progress of public business, preventing their trials by timely flight, so can they take up no large room in this historical narration.

CHAPTER VIII.

The trial and death of the earl of Strafford. Conspiracies detected during the agitation of it. An act for continuance of this present parliament. With a mention of that grant of the triennial parliament in February before.

BUT now a greater actor is brought upon the stage, Thomas [Wentworth] earl of Strafford, lieutenant of Ireland, a man too great to be let escape; no sooner accused but surprised, and secured for a trial.

Which trial of his, if we consider all things—the high nature of the charge against him; the pompous circumstances and stately manner of the trial itself; the time that it lasted; the preciousness of that time so consumed; and, lastly, of what moment and consequence the success of it must prove—I may safely say, that no subject in England, and probably in Europe, ever had the like.

So great it was, that we can hardly call it the trial of the earl of Strafford only; the king's affections toward his people and parliament, the future success of this parliament, and the hopes of three kingdoms depending on it, were all tried when Strafford was arraigned.

Many subjects in Europe have played louder parts upon the theatre of the world, but none left it with greater noise; nor was the matter of his accusation confined within one realm; three whole kingdoms were his accusers, and eagerly sought, in one death, a recompense of all their sufferings; that we may say of his case as Claudian [says] of Ruffinus,

Offensis Ruffinum divide terris.

Within ten days after the parliament began, the earl of Strafford, newly returned from the north, was sitting in the house of lords; when master Pymme, an ancient gentleman, of great experience in parliamentary affairs, and no less known fidelity to his country, came up to the lords, and, in the name of all the commons of England, accused Thomas earl of Strafford, lord lieutenant of Ireland, of high treason; and desired their lordships that he might be sequestered from parliament and forthwith committed to prison; as also to let them know that the commons, within very few days, would resort to their lordships with the particular articles and grounds of this accusation.

The earl was required to withdraw; and after a debate thereof, called in; was committed to safe custody to the gentleman usher; and immediately after, upon the 13th day of November, a sergeant-at-arms was sent into Ireland for sir George Ratcliffe, a great favourite of the earl's, and one that, under him, had been very active in the oppression of Ireland; a man of subtle wit and knowledge of the law, as having before been

educated at the inns of court, and taken the degree of barrister.

Sir George accordingly, upon the 4th of December, came in, and yielded himself to the speaker ; from whence he was committed to custody. And, four days after, the lords of parliament sent the earl of Strafford to the Tower, with a strict command to the lieutenant, that he should keep a close guard upon him.

Much time was interposed between the several proceedings against this earl of Strafford, by reason of the multiplicity of weighty business which the parliament then had. But before the end of January, a long charge was read against him in the house of commons, and a message, not long after, sent to the lords, to desire that he might be sequestered from all his places of dignity and honour in England and Ireland.

The charge against him consisted of nine articles, which afterwards, upon a further impeachment, were extended to eight and twenty. All those articles are to be seen at large in the records : but, for further satisfaction of the reader, I will give a brief touch of the scope of them. The first and second being much alike, concerning his ruling of Ireland, and those parts of England where his authority lay, in an arbitrary way, against the fundamental laws of the kingdom, which laws he had endeavoured to subvert : thirdly, his retaining part of the king's revenue, without giving a legal account : fourthly, the abusing of his power, to the increase and encouragement of papists : fifthly, that he maliciously had endeavoured to stir up hostility between England and Scotland : sixthly, that, being lieutenant-general of the northern army, he had wilfully suffered the Scots to defeat the English at Newburne, and take Newcastle ; that by such a loss and

dishonour, England might be engaged in a national and irreconcilable quarrel with the Scots: seventhly, that to preserve himself from questioning, he had laboured to subvert parliaments, and incense the king against them: eighthly and lastly, that these things were done during the time of his authority as deputy of Ireland and lieutenant-general of the northern armies in England.

The commons, saving to themselves a liberty of further impeachment against the said earl, &c., do require his legal answer to all.

The further impeachment, consisting of twenty-eight articles, was, for the most part, branched out of these, and insisted upon in more particulars, concerning his tyranny in Ireland over divers persons, contrary to law. Concerning which the reader must be referred to the records themselves, as being too large to be here inserted.

The earl of Strafford, upon the 23d of February, was brought before the lords to give in his answer; which he accordingly did; the king himself being there present to hear it read.

It was very large; and, when it was done, he was sent back to the Tower, there to remain till further order.

A committee being appointed to consider of that business, upon the 4th of March following made report in the house, that they would manage and maintain their accusation of treason against him; and thought it not fit to reply to his answer, but call him to speedy trial.

Immediately upon which a conference was had with the lords concerning that trial, and some circumstances which were thought fit to be used at it.

The commissioners of Scotland had likewise a charge

against the earl of Strafford; concerning those injuries, which, as they conceived, their nation and kingdom had suffered from him. But the substance of that charge was implied in those articles before specified, which the parliament of England had exhibited against him.

Upon the 22nd of March 1640 [1640-1] that remarkable trial of the earl of Strafford began.

Westminster-hall was the place chosen, where scaffolds were raised on both sides, nine degrees in height; whereof seven were appointed for the members of the house of commons to sit on, who were all there in a committee: the two upper degrees of the scaffold were appointed for the commissioners of Scotland and the lords of Ireland, who were then come over.

In the midst, on a lower ascent, sat the peers of England, the earl of Arundel being lord high steward and the earl of Lindsey lord high constable. The throne was placed for the king; but the king coming thither (which he did every day of the trial) sat private with the queen and other ladies, in a close gallery, made of purpose to hear the proceedings, and took notes [of them himself in writing.]

The earl of Strafford answered daily at the bar, whilst the whole house of commons, having put themselves into a committee, had liberty to charge him, every man as he saw occasion: but though many of them did sometimes speak, yet the accusations were chiefly managed by two expert lawyers, master Glynne and master Maynard, both members of the house.

Many foul misdemeanours, committed both in Ireland and England, were daily proved against him: but that ward which the earl, being an eloquent man, especially lay at, was to keep off the blow of high treason, whatsoever misdemeanours should be laid upon him; of which, some he denied, others he excused and extenu-

ated with great sublety ; contending, to make one thing good, that misdemeanours, though never so many and so great, could not, by being put together, make one treason, unless some one of them had been treason in its own nature."

Every day the first week, from Monday to Saturday, without intermission, the earl was brought from the Tower to Westminster-hall, and arraigned many hours together ; and the success of every day's trial was the greatest discourse or dispute in all companies.

For by this time the people began to be a little divided in opinions ; the clergy in general were so much fallen into love and admiration of this earl, that the archbishop of Canterbury was almost quite forgotten by them.

The courtiers cried him up, and the ladies (whose voices will carry much with some parts of the state) were exceedingly on his side.

It seemed a very pleasant object, to see so many Sempronias (all the chief court-ladies filling the galleries at the trial) with pen, ink, and paper in their hands, noting the passages, and discoursing upon the grounds of law and state. They were all of his side ; whether moved by pity, proper to their sex, or by ambition of being thought able to judge of the parts of the prisoner.

But so great was the favour and love which they openly expressed to him, that some could not but think of that verse,

*Non formosus erat, sed erat facundus Ulysses,
Et tamen æquoreas torsit amore deas.*

Ulysses, though not beautiful, the love
Of goddesses by eloquence could move.

But his trial in this manner lasted, with few days' intermission, from the 22nd of March till the midst of

April following, the earl having personally answered fifteen days.

After all this long trial, the house of commons fell into debate about a bill of attainder against the earl of Strafford, and voted him guilty of high treason in divers particulars of that accusation in which they had proceeded against him; and in more particular he was voted guilty of high treason for his opinion given before the king at a secret council, which was discovered by some notes of sir Henry Vane, who was also a privy councillor and present at that time; in which notes it was found, that the earl of Strafford had said to the king, that he had an army in Ireland, which his majesty might employ to reduce this kingdom to obedience.

These notes sir Henry Vane, eldest son to the before named sir Henry, had found (as he alleged to the house) in his father's cabinet, and produced before the house without his father's knowledge, who seemed extreme angry with his son for it.

This is related the more at large, because it was the first occasion (that was open and visible) whereby so eminent a member as the lord George Digby was lost from the house of commons, as will afterwards appear; for that vote was opposed by the lord Digby and some others.

Nevertheless, a committee was appointed to draw up the bill of attainder, which was accordingly done, and read in the house of commons on the 21st day of April, when the earl was again voted guilty of high treason; which was carried by far the greater part; for on the other side were but nine and fifty, of whom the lord Digby was one; who made to that purpose a very elegant, though much displeasing speech in the house; of which more hereafter.

That bill of attainder was sent up to the lords; where, after the reading of it, a great division was in that house, and many of the lords much opposed it.

But master St. John, the king's solicitor, and a member of the house of commons, was appointed within few days after to make good the bill by law, and give the lords satisfaction, which was accordingly done upon the 29th of April, in Westminster-hall; where the earl of Strafford was present at the bar, and the king and queen seated in their usual places.

Master St. John opened the branches of the bill, and in a discourse of two hours made it good by precedent statutes and the like, to the satisfaction of almost all that heard him.

But the king was not satisfied in conscience (as he declared to both houses two days after) to condemn him of high treason; and told them, no fears or respects whatsoever should make him alter that resolution, founded upon his conscience; but confessed, that his misdemeanours were so great, [that] he held him unfit to serve him in any office whatsoever; with other expressions of that kind.

The king's speech was somewhat displeasing to the houses; but the city were out of patience, and within four days after came to Westminster, about five thousand of them, crying for justice against the earl of Strafford; and following the lords, complaining that they were undone, and trading decayed, for want of due execution of justice.

The lords gave them good words, and promised them to acquaint the king with it. But the next day they appeared again with the same complaint; their fears being more aggravated, by reason of reports that attempts were made to get the earl out of prison; upon

which occasion some lords were sent to keep the Tower, and assist the lieutenant there.

But the king was hard to be removed from his resolution, although the judges in the mean time had delivered their opinions in the house of lords concerning the earl of Strafford; and the lords had voted him guilty of high treason upon the fifteenth article, for levying of money in Ireland by force of arms; and upon the nineteenth, for imposing an oath upon the subjects in Ireland, that they should not protest against any of the king's commands.

The king at last, wearied with these complaints, called a privy-council at Whitehall, where he spent a great part of the day, calling also the judges to deliver their opinions before him concerning the earl of Strafford; and sent for four bishops, to resolve him upon scruple of conscience. After which he granted a commission to the earl of Arundel, the lord privy seal, and the two lord chamberlains, to sign that bill for the execution of the earl of Strafford three days after, being Wednesday the 12th of May 1641; which was accordingly done upon the scaffold on Tower-hill.

This was the unfortunate end of that earl of Strafford whose character and actions have been in some manner before described.

Of whom we may truly say, that as his life and counsels had been of great moment and concernment in the state before, so did his death and trial, by unhappy accidents, prove to be.

The divisions and disturbances which his life could make were not greater than those that his death occasioned.

Appianus observes of Sylla the dictator, that as his living power had robbed the Roman senate of their

freedom, so did his very funeral ; where so many of his old soldiers and hacsters followed the solemnity, that the senators who were present dared not with freedom express their thoughts of him, but were enforced to flatter him dead as well as living.

How far the earl of Strafford did in his lifetime divide the king's affections from his people and parliaments, (which was part of [the charge against him,]) I cannot surely tell ; but certain it is, that his trial and death (which has made me insist the longer upon it) did make such a division in that kind, as, being unhappily nourished by degrees afterward, has almost ruined the three kingdoms^c.

The length of his trial, whilst two armies at an heavy expense were to be paid, and other business at a great stand, did divide some impatient people (at least in some degree) from the parliament ; the manner of his condemnation divided the parliament in itself ; and the eager pressing of his death did discover or cause a sad division of the king from his parliament.

Nine and fifty members of the house of commons dissented in vote from the rest upon the bill of attainder : upon which some indiscreet persons (for so I must needs esteem them, though it was never known who they were, or by whose notice it was done) the next day set up a paper upon the Exchange, with the names of those nine and fifty, and a title over it, *The names of those men, who, to save a traitor, would betray their country.*

They that were thus posted up, supposing it to be done or caused by some of their house, were much provoked at it, many of them growing by degrees disaffected to the parliament, (not all, for there were among those dissenting gentlemen very wise and learned

^c This was written in the year 1647.

men,) and, upon that unhappy distraction that fell out about a year after, forsook the parliament.

Upon the same bill of attainder the lord Digby made his foresaid speech, which, by a command from the house, (for he had printed it,) was to be burnt by the hangman; which was the visible cause of his deserting the parliament, and proving so great an actor against it; as shall hereafter be declared.

The worst consequence of all was, that the king's heart did upon this occasion appear to be quite alienated from the parliament.

For, to prevent the earl of Strafford's death, an escape for him out of the Tower was contrived. To further which, and to curb the parliament in other things by force of arms, a great conspiracy was entered into by many gentlemen of rank and quality. The design of this conspiracy had many branches, as shall appear in the narration.

The persons of chiefest note in it were master Henry Percy, brother to the earl of Northumberland; master Henry Jermyn, the great favourite of the queen, to whom he was master of the horse; master Goring, eldest son to the lord Goring; master Wilmot, eldest son to the lord Wilmot; colonel Ashburnham; captain Pollard; sir John Suckling; O'Neal, an Irishman and a papist; with divers others of a more inferior rank, such as were privy but to some part of the design: for it seems their counsels were divided, and they [were] not all guilty of the same things; as by their several examinations upon oath appeared.

But that which grieved the hearts of honest men, and made them almost despair of that happiness which was before hoped for by this parliament, was, that they discovered the king himself to be privy to this conspiracy against them; which was plainly testified by

colonel Goring's examination; as likewise by a letter written by master Percy to his brother the earl of Northumberland; where he names the king's discourses with him, and the desire which the king had to join such as he thought fit with them.

The conspirators had taken an oath of secrecy among themselves.

The report made in parliament from committees after the examination of several gentlemen, concerning this conspiracy, discovered many branches of their design.

One was concerning the Tower of London, that soldiers should have been put into it. For sir John Suckling, and some others of the conspirators, under pretence of raising forces for the Portugal, had gathered men in London, who were to possess themselves of the Tower.

The lieutenant, sir William Balfour, was commanded by the king himself to admit those soldiers into the Tower. But he, perceiving that it was a plot to let the earl of Strafford escape, disobeyed that command of the king's, as appeared by his examination.

In which is likewise specified, that the earl offered 2000*l.* in marriage with his daughter to the lieutenant's son, if he would consent to the earl's escape.

Another branch, and that the chief of this design, was to bring up the English army, which was in the north, as yet undisbanded, and to engage it against the parliament, to awe the houses in divers things concerning the king's prerogative and maintaining episcopacy, as master Percy signified in the forementioned letter.

To join with these forces, and strengthen the plot, a French army was to be landed at Portsmouth, and that town, for the same purpose, was to be put into master Jermyn's hands.

The Irish army, consisting of eight thousand, almost all papists, when the earl of Strafford had escaped out of the Tower, was to be brought over under his conduct, and engaged in the same service.

All these things were confessed upon several examinations.

The parliament were most grieved to find the king so far in it; and then recalled to mind how his majesty, on the 28th of April before, had told the houses, that he could not allow of the disbanding of the Irish army, for divers reasons best known to himself.

The conspiracy being in some part detected, Percy, Jermyn, and Suckling fled the day before they should have been examined, being the 6th of May, and passed into France, where Suckling not long after died.

But afterwards, upon the reading of a letter in the house upon the 14th of June, sent by master Percy out of France to his brother the earl of Northumberland, Wilmot, Ashburnham, and Pollard (three members of the house of commons, mentioned in that letter, as privy to this conspiracy) were commanded to withdraw, and then called in severally, examined, and committed, Wilmot to the Tower, Ashburnham to the King's Bench, and Pollard to the Gatehouse; from whence they were not long after released upon bail, as being found guilty not in so high a degree as others were.

Goring, upon his examination, dealt so clearly with them, and so far purged himself from evil intentions, that he was not at all committed by the parliament.

O'Neal, who proved most guilty of that part of the conspiracy for bringing up the English army against the parliament, was presently after apprehended, and committed to the Tower; whence it was generally

thought he would be brought to trial for his life, and suffer ; but he made an escape.

The parliament, considering what great disturbance they began to find in settling the state, what conspiracies had been on foot, and doubtful of the king's sincere affection towards them, considering also what great disbursements of money were to be made for payment of two armies, and other charges for settling the state, to which purpose money was to be borrowed upon the public faith, by a joint consent of both houses, moved the king to sign a bill for continuance of this present parliament, that it should never be dissolved till both houses did consent and agree that public grievances were fully redressed.

A bill was drawn up to that purpose, and the king, the same day that he signed the bill for execution of the earl of Strafford, being the 10th of May, 1641, signed that also for continuance of the present parliament.

• But in this place it is fit to insert what had passed before in this kind.

The king, upon the 15th of Feb. before, had signed a bill, presented to him by both houses, for a parliament to be held in England every third year ; that the lord keeper, and [the] chancellor of the duchy for the time being, should be sworn to issue forth the writs, and upon default to lose their places.

The same day in the afternoon there was a conference between the two houses, to return the king thanks ; upon which it was concluded that the whole house should go to the king to Whitehall, and that the lord keeper, in the name of both houses, should return their thankfulness to his majesty ; which was accordingly done.

Expressions of joy, by order from the parliament,

were that night made about London, with ringing of bells, making of bonfires, with such usual things.

X It is observable, in the course of histories, how much kings, in such limited monarchies as that of England, do, in time, by degrees, gain upon the people's rights and privileges: so that those things which by [the] constitution of the government the people may challenge as due from the prince, having been long forborn, become at last to be esteemed such acts of extraordinary grace, as that the prince is highly thanked for granting of them.

Such was the case of this triennial parliament, as both houses afterward, when the unhappy division began, and the king upbraided them with this favour, could plainly answer, that it was not so much as by law they might require, there being two statutes then in force for a parliament once a year.

The king himself also, at the time when he granted that triennial parliament, could not forbear to tell them, that he put an obligation upon them in doing it which they had scarce deserved.

"For hitherto," said he, "to speak freely, I have had no great encouragement to grant it: if I should look to the outward face of your actions or proceedings, and not to the inward intentions of your hearts, I might make question of doing it."

But that grant which the king since passed, upon the 10th of May, for continuance of the present parliament, not only afterward by himself was much upbraided to them, but by many gentlemen, who were not well affected to their parliament, and [by] all the faction of prelatical clergy, in their ordinary discourse, was censured [as] a greater grace than it was fit for the king to grant.

To such men, their discourses and writings, afterward,

when the great distraction happened, and the war was breaking out, the parliament, in many of their declarations, answered,

That though there were in it some seeming restraint of the regal power in dissolving parliaments, yet really it was no taking that power from the crown, but suspending the execution of it for this time and occasion only. Which was so necessary for the public peace, that without it they could not have undertaken any of those great charges, but must have left both the armies to disorder and confusion, and the whole kingdom to blood and ruin.

For to pay the armies, and defray other necessary charges, money was to be borrowed upon the public faith; which had been nothing worth, if that parliament could have been dissolved at the king's pleasure.

And where it was objected, that no king ever granted the like before, they answered, it was evident that no king before ever made so great a necessity for a parliament to require it. And besides, that in the constitution of England's government it was never the meaning of the lawgivers that the king should dissolve any parliament whilst the great affairs of the kingdom were depending; and though the king had used to do so, it was nevertheless unlawful.

The Scots in their Remonstrance, 1640, told the king, that he had broken their laws in dissolving the parliament there, against the consent of their house.

And it is very well understood by those that are skilful in laws of both nations, that English parliaments have originally the same freedom. *

It was nevertheless probably then thought by all, that the king would not have assented to that act, if at that time the freshness of those forementioned grievances in the people's hearts, and the present discovery

of that odious treason, of bringing an army against the parliament, had not made it unsafe for him to deny it.

That opinion was more confirmed by the following actions, since time, and the unconstancy of some lords and gentlemen, had raised him a party; when that knot, which by law he could not again untie, he endeavoured to cut asunder by the sword; as was afterwards observed in the parliament's declaration.

CHAPTER IX.

Allowance of money from the English parliament to the Scots. The vast charge of disbanding the two armies. The great taxations for that purpose, and the manner of poll-money. The people take a protestation. An act for putting down the high-commission court and the starchamber; with other occurrences of that time. The queenmother [of France] departeth from England. The king goeth into Scotland.

THE parliament, conceiving themselves somewhat strengthened and secured by that act of continuance, began to fall upon the main business of the kingdom; but their first desire was to ease themselves of that unsupportable charge of keeping two armies in pay. It was therefore resolved that both the armies should forthwith be disbanded.

The earl of Holland was nominated by the king, and well approved of by the parliament, to go down as general, for disbanding of the English. And for the speedy disbursement of so great a sum, which was to be raised out of the poll-money (of which I shall speak anon) and the six subsidies, much plate was appointed, with more than ordinary haste, to be melted and coined.

The reader will here, perchance, desire to be satis-

fied by what means the Scottish army, which the king in the beginning of the parliament was so desirous to have driven out of the kingdom, and styled *rebels*, should continue undisbanded till this time.

The cessation of arms, which was made before to expire about the end of December last, was at that time renewed by the parliament for a month longer; who presently after took it into consideration, that the Scots should be satisfied for all their charges they had been at and losses sustained, since that unhappy war that the king had raised against them.

In the February following, after a serious debate concerning that business, the necessities of the Scots being well weighed, and their demands considered, it was not only agreed that their ships, taken since that war, should be restored, and 4000*l.* in ready money given to them to rig those ships, but, for the main of all, it was resolved upon by both houses to give the full sum of 300,000*l.*, in these words expressed, "towards a supply of the losses and necessities of our brethren of Scotland;" and that the parliament would in due time take into consideration the manner of raising it and [the] days of payment.

Whereupon the Scottish commissioners, three days after, returned thankfulness to the parliament, not only for that great sum of 300,000*l.*, but for the style of *brethren* which they had given them.

And the same week, to continue and further strengthen the amity of both nations, the parliament of England ordained that all books, libels, and proclamations against the Scots should be called in, and a thanksgiving to God should be in all churches through England for the happy conclusion of that peace.

But before the time came that the parliament, pressed with so many great and weighty affairs, could have leisure

to consider and fully determine the times for payment of that great sum to the Scots, (which was not till the 19th day of the following June, when it was concluded that they should receive 100,000*l.* of it at midsummer come twelve months, and the other 200,000*l.* at midsummer two years after,) the Scots presented many papers to the house at several times for money to supply the wants of their army, which were friendly entertained and considered by the parliament. For that army was kept long undisbanded; insomuch as about the end of the following May there was in arrear due to the Scottish army (besides the gift of 300,000*l.*) 120,000*l.*

So great a charge was the parliament of England content to be at, rather than suffer the Scots to go, till businesses were better settled; which gave occasion to many of the clergy, and others not well-affected to [the parliament,] not only in discourse, but [also] in written libels, to tax the parliament, and impute it to them as a crime of too much distrust of the king, and that they kept a foreign army to awe their own prince.

But certain it is, that since that time, when the forenamed conspiracies began to break out, the houses, not well assured of the king, nor fully trusting the English army, were content that the Scots should not be disbanded until the others were; being also doubtful of that Irish army which the king (as is before expressed) had told them he could not disband, for some reasons best known to himself.

Nor was that army of Scots disbanded till August, at the same time when the English army was by the earl of Holland, appointed general to that purpose. And both the armies quietly departed, conducted to their own homes by order from justices of peace, through the several counties.

To defray so vast a charge as the payment of two great armies, the parliament, besides the grant of six subsidies, imposed a tax seldom or never known, which was that of the poll-money, wherein the whole kingdom were to be personally assessed. Every duke at 100*l.*, a marquis at 80*l.*, earls at 60*l.*, viscounts and barons at 40*l.*, knights of the bath 30*l.*, other knights 20*l.*, esquires 10*l.*, every gentleman dispending 100*l.* per annum was seized [or assessed] at 5*l.*, and all others of ability to pay a competent proportion: the meanest head of the whole kingdom was not excused under sixpence.

This bill of poll-money was offered by the houses to the king, together with two others of great concernment, one for putting down the high-commission court, and the other for putting down the starchamber.

But the king showed some reluctance in that business, desiring to pass only that bill of poll-money for the present, and to deliberate about passing of the other two. At which the house of commons, being certified so much by the lords, were not well contented, and voted that his majesty should pass all three or none at all.

Notwithstanding, the king, upon the 2nd of July, did, accordingly, pass the poll-money, and demurred upon the other two. But, understanding that the matter was so ill taken, and being [loath], upon mature deliberation, to displease the kingdom at that time, he came again upon the following Tuesday, being the 5th of July, and passed the other two, for putting down the high-commission [court] and the starchamber.

Many of the courtiers and nearest servants about the king were very sorry that his majesty, seeing that he passed those two bills so soon after, had not freely done it at the same time (as was desired) together with the poll-money; because it might be thought an un-

willingness in him, and that his heart (which was then feared) did not perfectly concur with his people's desires; whereby much of the thanks, which so great a grace, freely and forwardly expressed, might have deserved, did seem in a manner lost.

The king, therefore, at the passing of those two bills, told them as much, that he could not but be sensible of those reports of discontent which he had heard was taken by some for his not passing them before; and thought it very strange, that two things of so great importance should be expected from him without an allowance of time to consider of them: that he wondered they could harbour any discontent, if they remembered how much he had done this parliament; as, his granting that the judges hereafter should hold their places *quam diu se bene gesserint*; bounding the forest-laws; taking away shipmoney; establishing the subjects' property in tonnage and poundage; granting the triennial parliament; free justice against delinquents; with other things; concluding graciously, that he would omit nothing which might give them just content.

And when he had signed the forenamed bills, after a short mention of the journey which he intended speedily to take into Scotland, he propounded to them a thing very acceptable concerning his nephew the prince elector palatine, that he could not but (at the desire of that prince) send an ambassador to assist him at the diet at Ratisbon with the emperor: and, fearing that he should not receive so good an answer as might in justice be expected, he (for the better countenancing that business) intended to publish a manifesto in his own name; but would not do it but by consent and advice of parliament; without which he conceived it would be a thing of no validity.

Which manifesto was afterwards made by the full

consent of both houses, and sir Thomas Roe, a member of the house, and a gentleman of great abilities, was sent to the emperor at Ratisbon about it ; but without any good success.

At the same time the queenmother of France, as was before desired by the parliament, was to take her leave of England. The king consented to her departure ; but, money [being] wanting for the provision of her journey, the parliament allotted 10,000*l.* to her out of the poll-money. This great lady had arrived in England almost three years before, and so long been entertained by the king her son-in-law with great respect, and an allowance answerable to support her state, 100*l.* per diem.

It was her misfortune (how far her crime I cannot tell) that, during her abode here, the two kingdoms of England and Scotland were embroiled in great troubles ; which the people were apt to impute in some measure to her counsels, knowing what power the queen her daughter had with the king.

Others taxed her not at all, but looked upon other causes, the same counsels, which, long before her arrival, had distempered England ; but the people made their judgment upon it from her actions or successes in other places.

But, however it were, the queen was fearful of the people here, and had not long before desired to have a guard allowed her, pretending fear of her life, by reason of some attempts which she conceived to have been made against her ; upon which a guard was set about her house.

Her regency in France had not been happy, nor according to the interest of that kingdom ; though that, perchance, may be accounted a fault not so particular to her as commonly incident to the regency of

queenmothers in that land: insomuch as Thuanus commends the saying of Charles the Ninth (a prince whom otherwise he doth not praise) upon his deathbed, That; since he must die at that age, (being four and twenty,) he thanked God he had no son, lest France should fall under a regency, of which he had found the sad effects. His mother was Katharine de Medicis, of the same family with this queen.

After the time of her regency, her actions had been such, that the king her son would not harbour her in his own kingdom; nor was she welcome into the territories of her son-in-law the king of Spain. But the people there were no less desirous of her departure than afterward in England.

Insomuch as she became a strange example of the instability of human fortunes, that so great a queen, and mother to so many mighty princes, should want a quiet harbour for her age.

Not long after her departure from England she died at Culleine, and might seem a parallel, in some things, to the [famous] empress of Rome who founded that city, and there planted a Roman colony, Agrippina, [the wife of] Claudius Cæsar and [the] mother of Nero. They both had tasted of power, been active in it, but not pleasing to the people. They were both taught that the greatness of their sons was not so much advantage to their power as they had hoped, and had learned, that all power dependent upon another is of small validity and less stability; as Tacitus observes, speaking of the same Agrippina, *Nihil rerum mortalium tam instabile et fluxum est, quam fama potentiae non sua vi nixæ.*

About two months before the departure of this queen, the princess Mary, eldest daughter to the king, not yet ten years of age, was married with great triumph at Whitehall to the young prince of Orange, William;

bishop Wren, being then dean of the king's chapel, performed the solemnity on Sunday the 2nd of May, 1641.

The marriage had been before debated of in parliament, and consented to; the king himself, upon the 9th of February, having declared to the lords what large propositions the ambassadors of the States had made to him upon that purpose.

The people in general were pleased with this marriage, and glad the king had chosen out [for his son-in-law] a protestant prince, and [one who was also a] servant to a state which had been long confederate with England, and whose interest carried them the same way, they being [professors of the same religion, and in that kind of discipline to which the greatest part of the parliament and the people of England were inclined, and to which they hoped (though that hope was not at that time so fully declared as it was afterward) to reform the church of England, as that of Scotland had been reformed to it already.] By this match of the king's own choosing they began to hope that the Spanish faction in court was not now at all prevalent, but that things might hereafter be carried [on] according to the right English way.

In this hope they were the more confirmed, seeing the parliament go on without any opposition from the king; no dissension having yet happened, nor [being] likely to happen, as they conceived: for that conspiracy, of bringing up the army against the parliament, which we touched before, was not yet discovered, nor at all thought of, though, within few days after, it broke out.

But some there were who suspended their joy, and were not much confident that this marriage would bring happiness to England, unless the king were perfectly

right with his people, and wished the same thing [as] they did ; considering [on the] one side the condition of the prince of Orange, and that he might be ambitious of more [power] than was due to him, and for that reason [might] engage himself in a reciprocal way for the king against his people, if occasion served.

On the other side, they considered the States as politicians of this world, and men who had other interests [in view] than that of religion ; and if dissension should in England happen between prince and people, (which was never but feared in some degree,) might be apt to side with the king against the just freedom of the subject ; which must needs depress the strength of England, and keep it from so much greatness as might eclipse their own, the king of Spain being now weak, and [they having] no such fear of him as might enforce them to need England's strength, as heretofore.

But the parliament, about the beginning of this July, were busied in such a multiplicity of affairs, (which by several committees they daily [transacted,]) concerning the reformation of domestical abuses, that it were an endless, and indeed an improper thing for an historian to describe them all. The records [of parliament] will at large satisfy those that are curious in particulars ; only some of the chief I will briefly touch, which happened before the king went into Scotland.

Upon the 5th of July, 1641, the committee appointed for that purpose made their report to the house of commons of the charge against Matthew Wren, bishop of Ely, (whose accusation was before mentioned,) consisting of many articles ; which all tended to the introducing of superstition, and too near approaches to the Roman religion, as those articles will declare.

After some time spent in debate upon the articles, it was resolved upon the question, and voted, that it

was the opinion of the house, that bishop Wren was unworthy and unfit to hold or exercise any office or dignity in church or commonwealth; and further voted, that there be a message sent to the lords, to desire them to join with the commons in petitioning his majesty to remove the said bishop both from his person and service.

About the same time also the charges against those judges before mentioned, who gave their extrajudicial opinions for levying of shipmoney, being five in number, (judge Bramston, baron Trever, baron Weston, baron Davenport, [and] judge Crawley,) were read in the house of commons, and several members appointed to present those particular charges against every judge; which they all did, making large speeches in aggravation of their crimes: against judge Berkley there was a higher charge, so great as amounted to high treason.

The king was now wholly intent upon his journey into Scotland, which he determined to take upon the 10th of August, to which both houses had once agreed, but afterwards, upon mature consideration, desired the king to defer it fourteen days longer for divers reasons.

That the distempers of the kingdom were such as could not well be composed, unless his majesty would stay the desired time, there being many weighty affairs to be taken into consideration, and no course yet set down for the government of the kingdom in his absence.

The king, notwithstanding their often and earnest pressing this suit, was steadfast to the first day, alleging that the affairs of Scotland did necessarily require his presence there at that time, and that he would pass any thing of just concern before he went, and that he had to the same purpose many times desired them to hasten their [business] for him before such a time.

The king accordingly, upon the 10th of August, departed out of London toward Scotland; but the same day, before he took his journey, coming to the lords' house, he passed divers bills which the houses had prepared for him; some concerning the public, (as, the bill for knighthood, the bill for free making of gunpowder and saltpetre,) and others concerning the estates and affairs of private men.

He likewise signed the commission for passing of bills in his absence: the commissioners appointed were, the lord keeper, the lord privy-seal, the earl of Lindsey, the earl of Essex, marquis Hartford, the earl of Bath, and the earl of Dorset.

He signed them also another bill, whereby he made the earl of Essex general of all his forces on this side Trent, by which he had power to raise forces in case of necessity.

But to another request, which both houses had made to him the day before, which was, that the earl of Pembroke might be made lord steward, in the earl of Arundel's place, during his absence, (for the earl of Arundel was then going over with the queenmother,) and that the earl of Salisbury might be appointed lord treasurer, he said he would take further time to consider of it.

By this time many jealousies began to arise in the hearts of the people, many divisions, and differences of opinions concerning the parliament; which (being by degrees fomented by such persons as were disaffected to it, by reason of their own losses and particular interests; whose number could not be small) did fatally prepare the way to that miserable confusion which after followed.

Bishops had been much lifted at, though not yet taken away; whereby a great party, whose livelihood

and fortunes depended on them, and far more whose hopes of preferment looked that way; most of the clergy, and both the universities, began to be daily more disaffected to the parliament; complaining that all rewards of learning would be taken away; which wrought deeply in the hearts of the young and most ambitious of that coat.

Another thing, which seemed to trouble some who were not bad men, was that extreme license which the common people, almost from the very beginning of the parliament, took to themselves, of reforming, without authority, order, or decency; rudely disturbing church service whilst the Common Prayer was reading; tearing those books, surplices, and such things: which the parliament (either too much busied in variety of affairs, or, perchance, too much fearing the loss of a considerable party, whom they might have need of against a real and potent enemy) did not so far restrain as was expected or desired by those men.

To this were added those daily reports of ridiculous conventicles, and preachings made by tradesmen and illiterate people of the lowest rank, to the scandal and offence of many: which some in a merry way would put off, considering the precedent times, that these tradesmen did but take up that which prelates and the great doctors had let fall, preaching the gospel; that it was but a reciprocal invasion of each other's callings, that chandlers, salters, weavers, and such like, preached, when the archbishop himself, instead of preaching, was daily busied in projects about leather, salt, soap, and such commodities as belonged to those tradesmen.

Many people by degrees grew disaffected to the parliament, being daily poisoned by the discourses of the friends, kindred, and retainers to so many great

delinquents, as must needs fear such a parliament ; who, though they be no considerable party in respect of the whole commonwealth, yet plied their particular interests with more eagerness than most do the public.

Some are taken off by time and their own inconstancy, when they have looked for quicker redress of grievances than the great concurrence of so many weighty businesses (in a long discontinued and reforming parliament) can possibly admit, how industrious soever they be, distracted with so great a variety. Those people, after some time spent, grew weary again of what before they had so long wished to see ; not considering that a prince, if he be averse from such a parliament, can find power enough to retard their proceedings and keep off for a long time the cure of state. When that happens, the people, tired with expectation of such a cure, do usually, by degrees, forget the sharpness of those diseases which before required it ; or else, in the redressing of many and long disorders, and to secure them for the future, there being for the most part a necessity of laying heavy taxes, and draining of much money from the people, they grow extremely sensible of that present smart, feeling more pain by the cure for a time than they did by the lingering disease before, not considering that the causes of all which they now endure were precedent, and their present suffering is for their future security.

It was the general opinion of all gentlemen at that time, that a parliament, so much and long desired as this was after so great and constant a violation of the laws and liberties of England in the king's former government, could scarce, in possibility, ever grow into the dislike of the people, or at least so great a part of the people as might be able (which within one year, was after seen) to make a war against it, and en-

danger the utter ruin and subversion of it. But I have spoken before of some causes which might seem strong enough to engage a part of the people against parliament, whose particular interests and livelihoods were nearly touched. How far any proceeding might distaste others, who were uninterested in their private fortunes or callings, I cannot tell any certain reason: but I remember within the compass of a year after, (when this civil war began to break out over all the kingdom, and men in all companies began to vent their opinions in an argumentative way, either opposing or defending the parliament cause; and treatises were printed on both sides,) many gentlemen who forsook the parliament were very bitter against it for the proceedings in religion, in countenancing, or not suppressing, the rudeness of people in churches, (which I related before,) acting those things which seemed to be against the discipline of the English church, and might introduce all kinds of sects and schisms. Neither did those of the parliament side agree in opinions concerning that point: some said, it was wisely done of the parliament not to proceed against any such persons, for fear of losing a considerable party, as is said before; others thought and said, that, by so doing, they would lose a far more considerable party of gentlemen than could be gained of the other sort. They also affirmed, that, laws and liberties having been so much violated by the king, if the parliament had not so far drawn religion also into their cause, it might have sped better; for the parliament frequently at that time, in all their expressions, whensoever they charged the corrupt statesmen of injustice and tyranny, would put popery, or a suspicion of it, into the first place against them. I remember, when the war was begun, among those little treatises, which were then

published, (as many there were without any names to them,) I found one, in which the case is thus expressed, to recite the words of it :

Perchance, saith he, too much insisting upon religion, and taxing the king for affecting popery, hath, by accident, weakened the parliament, and brought parties to the king. It may seem a great paradox that the best and only necessary of all things, religion, being added into the scale of laws and liberties, should make the scale lighter than before. Neither can it be true but by accident ; as thus : the strange intercourse betwixt Rome and the English court ; the king's own letters to the pope ; his favouring of priests, and such things ; though they may give a state just cause of suspicion, that their religion is undermining : yet, because it cannot be so absolutely proved to the sight of all the people that the king favoured popery, as that he violated the laws and liberties of the kingdom ; (which latter was visible to all ;) the former, concerning religion, remains ; in the people's reason, as a controverted question, (the king still protesting for religion,) and the disputes about that, amusing the people, make them by degrees forget that crime of the king's which was without controversy and evident, the violation of laws and liberties : and more than so ; for some, supposing that the parliament unjustly taxed him in religion, did in time believe that he was not so guilty of the other as they would make him : which I have heard some of late maintain. From whence may follow a strange conclusion ; that the king's dealing so much with Rome, to the disadvantage of the protestant religion, should now turn to his own advantage in a protestant kingdom. And we may make this as paradoxical a supposition, that if the king had never done any thing prejudicial to the protestant religion he would have found fewer protestants this parliament to take his part. For then, there being no dispute at all about religion, the crimes of his state misgovernment had plainly and inexcusably appeared to all ; as we have seen that some of our former kings, for the like violation of laws and liberties, when there was but one religion, and therefore no dispute about it, have been heavily censured in parliament, no man appearing in their justification. And

why should not a parliament think that such things are cause enough to be stood upon, and to justify their quarrel before God? as if the Almighty did not abhor injustice, oppression, tyranny, and the like, in any kingdom, unless the profession of religion were also depraved. Nay, he abhorreth it more in that place where the purest profession of religion is.

Besides, that frequent naming of religion, as if it were the only quarrel, hath caused a great mistake of the question; in some, by reason of ignorance; in others, of subtlety, whilst they wilfully mistake, to abuse the parliament's cause, writing whole volumes in a wrong stated case; as, instead of disputing "whether the parliament of England lawfully assembled, where the king virtually is, may by arms defend the religion established by the same power, together with the laws and liberties of the nation, against delinquents, detaining with them the king's seduced person?" they make it the question, "whether subjects, taken in a general notion, may make war against their king for religion's sake?"

Such was the sense of many gentlemen at that time which adhered to the parliament. But to proceed in the narration.

The parliament had been of late sensible of the loss of some from them, and (having detected divers conspiracies and machinations of disaffected people against them, and fearing more) had, in May last, framed a protestation, which was solemnly taken by all the members of both houses, and sent through England to be taken by the people: the form of it was in these words:

I, *A. B.*, in the presence of Almighty God, promise, vow, and protest to maintain and defend, as far as lawfully I may, with my life, power, and estate, the true reformed protestant religion, expressed in the doctrine of the church of England, against all popery and popish innovations within this realm, contrary to the said doctrine; and according to the duty of my allegiance, I will maintain and defend his majesty's royal person, honour, and estate, as also the power and privilege of parliaments, the lawful rights and liberties of the subjects,

and every person that shall make this protestation, in whatsoever he shall do in the lawful pursuance of the same ; and to my power, as far as lawfully I may, I will oppose, and, by all good ways and means, endeavour to bring condign punishment on all such as shall, by force, practice, counsels, plots, conspiracies, or otherwise, do any thing to the contrary in this present protestation contained : and further, that I shall, in all just and honourable ways, endeavour to preserve the union and peace betwixt the three kingdoms of England, Scotland, and Ireland, and neither for hope, fear, or any other respects, shall relinquish this promise, vow, and protestation.

It were not amiss in this place briefly to mention some alterations which had been made before the time that the king took his journey into Scotland, (though they were not done immediately about that time, but some weeks or months before,) because they concern some noblemen of whom we shall have occasion hereafter to make mention in the course of this history.

The lord Cottington, upon the 17th of May 1641, had resigned his place, master of the wards, the lord viscount Say and Seal succeeded him in that office.

Within few days after, the lord-treasurer, Dr. Juxon, bishop of London, resigned his staff, and the office was committed to five commissioners. About that time the earl of Leicester, lately come from being ambassador in France, was by the king made lord lieutenant of Ireland. The earl of Newcastle was removed from being governor to the prince, and the marquis of Hartford appointed in his room.

BOOK II.

CHAPTER I.

A standing committee during the recess of both houses of parliament. The rebellion of the Irish, and massacre of the protestants there. Some endeavours of the English parliament for relief of that kingdom.

THE business of England, by this absence of the king, was at a great stand. In such a concurrence of high affairs, and so great an expectation to find redress of pressing grievances, nothing was so irksome to the people as delay. To retard the cure was little better than to destroy. And the sequel, within a short time, proved worse than the wisest men could imagine or the most jealous possibly suspect, though jealousies and fears were then grown to a great height, and the parliament of England less than ever assured of the king's real affection to them. Nothing of state was transacted in parliament during the king's absence. Some debates there were only about church service and alterations to be made in the Book of Common Prayer; in which, notwithstanding, nothing was concluded. One business only came to be discussed; of which the king himself gave occasion; who, within few days after his arrival in Scotland, signified by a letter to the lords that he was engaged to the Spaniard by promise to let him have four thousand soldiers out of that lately disbanded Irish army which the earl of Strafford had before raised; his desire was to make good his promise by consent of parliament. But the house of

commons (whom the lords had invited to a conference for that purpose) would not consent that any Irish should go to assist the Spaniard. Some reasons were then given; but more particular cause was showed about ten days after, when a second letter came from the king, in which his majesty declared that the Spanish ambassador claimed his promise, from which in honour he could not recede. Notwithstanding, since he had found that ambassador so reasonable, as that he was content to accept of two thousand, he hoped the parliament would not deny that. The house took it into consideration; and within two days the lord of Falkland, a member of the house of commons, at a conference delivered to the lords, gave reasons, in the name of that house, why it was very unfit to grant the king's desire, because the Spaniard was not only an ally and confederate, but an assistant to the emperor against the prince elector his majesty's nephew, who, by the power and oppression of that emperor, had been long deprived of his inheritance: and at this time, when the king had published a manifesto in behalf of his nephew, and to that purpose sent an ambassador to the diet of Ratisbone, it would seem a contradiction in the king to assist the enemies of the said prince elector, and a drawing of his own sword against himself: besides the great prejudice it must needs bring to the protestant cause, which this present parliament so much intended and laboured to promote. Upon these reasons it was thought fit not to consent to the king's desire in that point. And immediately the two houses of parliament adjourned themselves from that day, being the 8th of September, till the 20th of October, and appointed a standing committee of fifty members during that recess.

Before the access and meeting again of the parliament, letters came from the English committee in

Scotland, and were read before that standing committee of Westminster, importing the discovery of a treasonable plot against the lives of marquis Hamilton and others, the greatest peers of Scotland; the conspirators being the earl of Crayford and some others. How it was discovered, or how prevented, or whether the king had any privity to it, (though one of that country have since written very plainly, charging the king with it,) because the state of Scotland were very silent in it, the parliament of England took the less notice of it: only the standing committee, for avoiding the like attempts at London, and fearing that such might flow from the same spring, appointed strong guards to be placed in many parts of the city, till further directions might be given from the two houses at their access. The malignancy which at that time began to appear in people of that condition and quality which we before mentioned, and was not only expressed in usual discourse among their companions, but vented in scurrilous and bitter libels against those lords and commons who were generally reputed the most sedulous for the commonwealth, was cause sufficient to increase the fears and jealousies of the parliament.

But that fatal fire, which so sadly wasted the three kingdoms, broke out there where it was least feared, and those that seemed most secure were the first sufferers. About the end of October 1641, during the king's abode in Scotland, the most barbarous and bloody rebellion that ever any age or nation were guilty of, broke out in Ireland. The atrocity of it is without a parallel; and as full of wonder was the close carriage of so black and far reaching a design. The innocent protestants were upon a sudden disseized of their estates, and the persons of above two hundred thou-

sand, men, women, and children, murdered, many of them with exquisite and unheard-of tortures, within the space of one month.

That which increased the amazement of most men was the consideration, that the ancient hatred which the Irish (a thing incident to conquered nations) had borne to the English did now seem to be quite buried and forgotten: forty years of peace had compacted those two nations into one body, and cemented them together by all conjunctures of alliance, intermarriages, and consanguinity, which was in outward appearance strengthened by frequent entertainments, and all kinds of friendly neighbourhood. There seemed in many places a mutual transmigration (as was observed by a noble gentleman^a, whose place in that kingdom gave him means to know it, out of whose faithful relation of that rebellion and massacre I have partly collected my discourse of it) into each other's manners. Many English strangely degenerating into the Irish manners and customs, and many Irish, especially of the better sort, having taken up the English language, apparel, and decency of living in their private houses. The present government was full of lenity and moderation, and some redress of former grievances had then been newly granted by the king to his Irish subjects. The same gentleman, in his history of the Irish rebellion, (where the reader may more fully inform himself of particulars,) affirms, that he could never hear of any one Englishman that received any certain notice of this conspiracy, till that very evening before which it was to be put in execution. Some intimations had been given by sir William Cole, in a letter to the lords justices, sir William Parsons and sir John Burlace,

^a Sir John Temple.

with the rest of the council, concerning dangerous resorts and meetings of some persons who were judged fit instruments for such a mischief.

This horrid plot, contrived with so much secrecy, was to take effect upon the 23rd of October. The castle of Dublin, the chief strength of that kingdom, and principal magazine of the king's arms and ammunition, (where all those arms which were taken from the late disbanded Irish army, and others, which the earl of Strafford had provided, were deposited,) was to be seized by nine of the clock that day by the rebels; to which purpose many of the Irish gentry of great quality, were, the night before, come to Dublin, to be in readiness for the performing of that exploit. It was further agreed among those conspirators, that, upon the same day, all other his majesty's forts and magazines of arms and ammunition in that kingdom should be surprised, and all protestants and English, that would not join with them, should be cut off. But it pleased God to prevent the seizure of that castle, and so to save the kingdom from being wholly lost in one day; and that by a means strange and unexpected. Hugh Mac Mahon, esquire, grandson to the famous rebel Tyrone, a gentleman of a plentiful fortune in the county of Monagan, and one that had served in arms under the king of Spain as lieutenant-colonel, a principal agent in this rebellion, and coming with others (as aforesaid) into Dublin the day before that great design was to be put in execution, being the 22nd of October, admitted into his company at a tavern in that city one Owen Conally, of Irish extract, but a protestant, and servant to sir John Clotworthy, a member of the English parliament. To this Owen he revealed so much, as they were drinking, that the honest man, escaping from him, (though not without great danger to himself, at the present,)

informed the lord justice Parsons, that night, about nine of the clock, of a dangerous design upon the whole kingdom; which being taken into present consideration, Mac Mahon was apprehended, and, after his examination, the lord Maquire also, another principal actor; who were both committed to close custody, and the castle secured with all diligence. But many conspirators of great note escaped that night out of Dublin, as Birne, More, Plunket, and others.

The lords of the council, amazed at the discovery of so horrid a treason, did notwithstanding endeavour (since there was no prevention; for Mac Mahon had plainly told them, when he was examined, that by that time all the counties of Ireland were risen) to use the best remedies to that desperate disease, and hoping that perchance the news how the plot for seizing of Dublin-castle was disappointed might somewhat dishearten the conspirators in remote parts, and encourage the good subjects with more confidence to stand upon their guard, issued forth a proclamation presently, and, by careful messengers, spread it into as many parts of the kingdom as they could. The effect of which proclamation was, to signify the discovery of the treason, and exhort all men to their duty in suppressing of it.

But the general design was past prevention; and that very day came in some poor English protestants, and others in a short time, every day, and almost every hour; showing how they had been robbed, their houses surprised by the rebels, whose outrage daily increased in rapine and murdering, and firing towns and villages in divers counties. To oppose therefore the growth of that desperate malady, the lords justices (despatching letters to the king in Scotland and the earl of Leicester, lately made lieutenant of Ireland by the king, and yet resident at London, of their lamentable condition)

examined with all diligence how they were provided for such a war. They found in Dublin stores, arms for ten thousand, with artillery, powder, match, and lead proportionable, laid in by the late earl of Strafford ; though designed by him another way, yet reserved, by God's providence, for this service. But the officers and soldiers of the old standing army were so much dispersed into remote places of the kingdom, for the guard of other forts, that there was scarce any possibility of drawing a considerable company together to defend Dublin, or make head against the rebels in the north. The greatest mischief to the state and advantage to the rebels, was, that there was no money in the exchequer; besides, the king's revenues, and rents of English gentlemen due for that half year, were either in tenants' or collectors' hands in the country, and must unavoidably fall into the rebels' power; so that, although their disease were present, the only means of cure was remote, which was a dependance upon some supplies from the parliament of England.

Upon the very day designed for surprisal of the castle at Dublin, the 23rd of October, the northern rebels broke out in the province of Ulster, and in few days got possession of so many towns, forts, and gentlemen's houses, within the counties of that province, as might seem almost incredible, if we consider only the chief actors, men of no great skill in martial affairs, or any policy: such as sir Phelim O'Neal, and his brother, with the rest; and not rather (which indeed was the true reason) the general engagements of the Irish, and their deep dissimulation, concurring with the great credulity of the English, upon the causes aforementioned, of so long intermixed cohabitation and friendly relations betwixt them. Both these were the causes which afterward increased the massacre of the English, who,

when the fire broke out, implored the friendship of their Irish neighbours, landlords, or tenants; committing into their hands and protection their treasure, wives, and children, with all that was dear unto them, in hope that former friendship might prevail. But they generally either betrayed them into the power of other rebels, or perfidiously and cruelly murdered them with their own hands: which extreme falsehood and cruelty in the Irish was thought to be much increased by the charmings of their priests, who told them, that it was a mortal sin to protect or relieve any of the English.

That intermixture of the nations did also, at this sad time, make the English less able to defend themselves than if they had lived singly by parties of their own. For where the English were able to make any head, or stand upon their guard, (though in such an amazement and sudden surprisal,) they defended themselves beyond belief, till the Irish, (principled by their priests) offered them fair quarter; with assurance of lives and goods, safe-conduct, and free passage to what places they pleased; confirming such covenants with deep oaths and protestations, and sometimes their hands and seals. But when they had the deceived English in their power, the soldiers spoiled, stripped, and murdered them at their pleasure. So were many served; as, at Armagh, by sir Phelim O'Neal and his brother; at Belterbert, by Philip O'Relley; at Longford, Tullough, and other castles in the county of Fermanagh, by other of those rebels. But if the English (who stood to defend their private houses, and so were the more easily cut off) could have deserted their habitations at the first rising, and joined themselves into bodies, they might happily have made a better resistance. Whilst these inhuman cruelties and massacres were acting in miserable Ireland, and daily spreading

themselves in every part of that kingdom, many counties in several provinces declaring themselves, and following the barbarous example of those in Ulster, the sad news was brought to the parliament of England.

The first letters, which before were mentioned, sent from the lords justices upon the 25th of October, were carried and delivered at London on the last day of that month by Owen O'Conally, the happy discoverer of the first plot; with a full information of all particulars within his knowledge; which by the lords, who were first acquainted with it, was delivered at a conference to the house of commons; who presently ordered, that the house forthwith should be resolved into a committee, to consider the matter offered concerning the rebellion in Ireland, as likewise to provide for the safety of England. By which committee it was agreed that 50,000*l.* should presently be provided; and that the loan of it should be entreated from the city of London upon public security. 2. That a select committee of both houses be named to consider the affairs of Ireland. 3. That Owen O'Conally, who discovered this great treason, should have 500*l.* presently paid him, and 200*l.* per annum pension, till provision in land of a greater value be made for him. 4. That papists of quality be secured in their several counties within England. 5. That no persons whatsoever, except those who are merchants, shall be admitted to go over into Ireland, without certificate from the committee of both houses appointed for the affairs of Ireland.

These things were reported to both houses, and willingly assented to, within two days after the discovery first made unto them of that rebellion. And (notwithstanding those present distractions in England, which began then to appear) part of every day during that

November was allotted to the consideration of Ireland. Within four days after the beginning of which month, they ordered many particulars of great import for the relief of it, consisting of supplies of money, magazines of victuals, ammunition of all sorts, courses to be taken for raising forces for the occasions of that kingdom; and shipping for guard of their sea-coasts; as more particularly appeareth in the records of parliament.

Whilst the English parliament were thus ordering the affairs of bleeding Ireland, other letters from the lords justices, bearing date the 5th of November, were brought, and communicated to both houses. Who, in earnest zeal to the promotion of that business, voted 200,000*l.* to be raised for suppressing the Irish rebellion, securing England, and payment of the public debts. For which the city of London must of necessity be made use of (collections through the kingdom being too slow for such an urgency). And to encourage the city in it, an order was made to secure them for moneys formerly lent, and to allow them the full interest of eight per cent. for all together.

Whilst the English parliament were thus busied about the relief of Ireland, the horrid rebellion with a swift motion ran throughout that unhappy kingdom, many counties daily joining with them; and divers lords and gentlemen, who for many days had lived unsuspected in Dublin, went into the country to side with the rebels, and act their parts in those inhuman outrages: the lords justices and privy-council were enough troubled to secure Dublin, to victual the castle, and prepare defence against those dangers which threatened the city, and were made much more by the fears of spoiled people resorting thither.

But the care of the privy-council extended further

(notwithstanding the troubles there) than to the city of Dublin; and having a magazine of arms within the castle, resolved so to dispose of them as that resistance might be made against the rebels in other parts. Some arms were happily disposed to such gentlemen (sir Henry Tichborne, sir Charles Coote, and others, of whom more hereafter) as to their lasting honour did excellent service. But another part were worse than lost, those which were distributed to the lords and gentlemen of the English pale, who afterwards declared themselves for the rebels, and used the arms to the destruction of those who put them into their hands. That English pale is a large circuit of land possessed at the first conquest of Ireland by the English, and ever since inhabited by them, containing divers counties, as Dublin, Meath, Lowth, Kildare, &c.

The lords of the council thought fit to trust those lords and gentlemen of the pale both with commissions and arms, (though many of them professed papists,) hoping that this great confidence would work so far upon their hearts, (if any truth or loyalty were left there,) as to keep them, at least, from joining with the enemy; but, if they were honest, would enable them to oppose the threatening incursions of the northern rebels. This great trust the council were more encouraged to repose in these perfidious lords and gentlemen of the pale, because themselves had appeared at Dublin of their own accords, professing truth and loyalty, with deep and solemn protestations, and that they were most forward and ready to concur with their lordships in that service.

But so great an affliction was to fall upon unhappy Ireland, that all those lords that were papists, after they had received commissions and arms, notwithstanding

all their deep vows, did most perfidiously, soon after, desert their houses, and openly declare themselves in actual rebellion ; such as were viscount Mongannet, Gormanston, and Costeloe, Dillon, Birne, Beller, Talbot, and many others.

The condition of Dublin was more lamentable every day than other ; and not so much afflicted were they with fears and dangers which threatened themselves, as that extreme sorrow, which compassion must needs work in them, toward all the suffering English which resorted thither. Dublin was the sanctuary of all the despoiled protestants, and by that means the sad stage upon which all horror was represented ; and what mischiefs soever were acted in other parts were there discovered and lamented. Their eyes were sad witnesses of the rebels' cruelty, in those despoiled English which daily resorted to the city ; but their ears much more afflicted with relation of those horrid tortures which had been used to those who died in other parts. Their eyes could not but extremely suffer from such wretched spectacles as daily from all parts presented themselves ; people of all conditions and qualities, of every age and sex, spoiled and stripped, with no coverings, but rags or twisted straw, to hide their privities ; some wounded almost to death, others frozen with cold ; some tired with travel, and so surbated that they came creeping on their knees ; others famished beyond all relief. And, besides the miseries of their bodies, their minds tortured with the loss of all their fortunes, and sad remembrance of their husbands, wives, or children, most barbarously murdered before their faces. In this most lamentable plight, with wasted bodies and distracted minds, did they arrive at Dublin ; some to be relieved, some entombed, (which was more

than their murdered friends could obtain from the rebels,) insomuch as they appeared like walking ghosts in every street; and all the barns, stables, and outhouses were filled with them; where they soon died, after they had recovered the city, in so great numbers, that all the churchyards of Dublin could not contain them: but the lords were enforced to take in large pieces of ground on both sides of the river, to set apart for buryingplaces.

But that part of this woful tragedy which was presented to their eyes was the least, and but the shadow of that other, which was related to their ears; of which the readers and all posterity may share the sorrow. Many hundreds of those which had escaped, under their oaths, lawfully taken upon examination, and recorded with all particulars, (as may be seen at large in the records,) deliver to the council what horrid massacres the bloody villains had made of men, women, and children; and what cruel inventions they had to torture those whom they murdered; scarce to be equalized by any the most black and baleful story of any age.

Many thousands of them at several places, (too many to be here inserted,) after all despites exercised upon them living, put to the worst of deaths; some, burned on set purpose; others, drowned for sport and pastime; and, if they swam, kept from landing with poles, or shot and murdered in the water; many were buried quick; and some set into the earth breast high, and there left to famish. But most barbarous (as appears in very many examinations) was that cruelty which was showed to great-bellied women; whom the villains were not content to murder, but ripped up their bellies, and many times took delight to see the hogs eat the abor-

tive infants. But I am loath to dwell upon so sad a narration.

The greatest part of these inhuman cruelties were acted by the Irish upon the poor unarmed Britons before any provocation given unto them, and the blood of so many thousand innocent persons sacrificed to their mere malice, as many afterwards were sacrificed to their revenge; as, whensoever the Irish received any blow from the English forces, the English protestants that lived among them were murdered in great numbers.

By this time the lords of the council had armed as many as they were able, and given commissions for raising of several regiments, which were put into the hands (for the most part) of gallant men, as their actions after testified to the world. Sir Charles Coote, an active and valiant man, (who was also made governor of Dublin,) with great speed made up his regiment out of the poor, robbed, and stripped English, which had fled to Dublin; sir Henry Tichborne, a worthy commander, was despatched away with a regiment of foot, to keep Tredagh from the approaching rebels: the lord Lambert also, sir Thomas Lucas, captain Armstrong, captain Yarner, with others, raised, by commissions, soldiers there.

This was done about the middle of November; at which time also the earl of Ormond, with his well armed troop of horse, came to Dublin; where, within few days after, he was, by a commission sent from the earl of Leicester, lord lieutenant of Ireland, (as likewise by the king's approbation from Scotland, signified in a letter,) made lieutenant-general of all the forces there.

For the earl of Leicester at that time was not enabled

so far with necessaries for the service of Ireland as to repair thither in person.

The earl also sent over to the lords at Dublin (together with an order of the lords and commons of the parliament of England) comfortable letters in this time of distress, to let them know that the king had referred the whole business of Ireland to the parliament of England; who had undertaken the charge and management of the war, had declared a speedy and vigorous assistance, had designed for their present supplies the sum of 50,000*l.*, and taken order for all further provisions necessary.

But, that they might not be altogether destitute of real comfort, the parliament of England sent them over at the same time 20,000*l.*, which arrived most seasonably at Dublin (their treasure beginning utterly to fail) for paying those new companies which they had raised.

About the end of November, the lords justices and council of Ireland, considering the miserable desolations brought upon that whole kingdom, and what miseries were further threatened, commanded by proclamation a public and religious fast to be weekly observed upon Friday in the city of Dublin, to implore the mercy and assistance of Almighty God, and divert his heavy indignation from them.

CHAPTER II.

The king returneth out of Scotland, and is pompously entertained by the city of London. The Remonstrance is published by the parliament. The king entereth into the house of commons. The protestation of the twelve bishops; and how it was censured by the lords and commons. Divers unhappy obstructions of the relief of Ireland.

BUT, to leave Ireland struggling against her sad and woful calamities, and return again to the affairs of

England; at that same time, about the end of November, 1641, the king, returned from Scotland, was by the city of London entertained, feasted, and conducted to his palace at Whitehall, with as pompous solemnity and costly expressions of love and duty as ever any king of England was.

Of which extraordinary testimonies of affection toward him the king seemed very sensible, and returned thanks to the city; inviting, within few days after, the chief of them to Hampton-court, where they were feasted, and divers aldermen knighted by his majesty.

While the king resided at Hampton-court, the house of commons presented to him a Remonstrance, or declaration of the state of the kingdom; wherein all the chief grievances and oppressions, which the nation had groaned under since the beginning of his reign until that time, were recited; but with as much tenderness of expression, and respect to his person, (for such care they took, as it appeared in that petition of theirs which accompanied the Remonstrance,) as so much truth could possibly be uttered. For all the fault is laid upon ill ministers, who are there called *a malignant party*.

That Remonstrance, some little time before the king's return out of Scotland, had been with much earnestness debated in the house of commons: and at that time, when it was voted, so much divided was the house, that not above nine voices carried it.

So fierce and long were the disputations about it, and arguments urged on both sides, that not only the day, but a great part of night was spent in it. For the house arose not until two of the clock in the morning.

The prevailing part alleged for it, (as it was afterward expressed in their petition to the king,) that their intention was only to inform his majesty, his peers, and all other his loyal subjects; with no purpose at all of lay-

ing the least blemish upon his person, but to represent how much his royal authority and trust had been abused, to the great prejudice and danger of his majesty and all his good subjects.

It was alleged by many gentlemen in ordinary discourses, who were of the same opinion that the prevailing voters in parliament were, that such a Remonstrance might be of good use, and that the king (having, perchance, been ignorant, in some degree, of how much evil had formerly been wrought) might, by this Remonstrance, be not only brought to a knowledge of his past errors, but a salubrious fear of offending again, by considering how public and manifest to the world the defaults of princes in point of government must needs appear.

The other side were of opinion, that this Remonstrance, instead of directing him for the future, would teach him only to hate the makers of it, as upbraiders of his crimes, and those that went about to lessen or blemish (and so the king seemed to relish it, as appeared in his answer printed) his reputation with the people. They held it safer at such a time, when the king's affections were various toward the parliament, to win him by the sweeter way of concealing his errors, than, by publishing of them, to hazard the provocation of him, with whom it was not behoveful to contest, unless they were in hope to change his disposition for the future, or ascertained of their own power, and resolved to make full use of it.

For mine own part, I will make no judgment at all upon it; nor can we truly judge by the success of things. But such an unhappy genius ruled those times, (for historians have observed a genius of times as well as of climates or men,) that no endeavours proved suc-

cessful ; nor did any actions produce the right (though probable) effects.

Who would not in probability have judged that the forementioned costly and splendid entertainment, which the city of London gave to the king, would have exceedingly endeared them unto him, and produced no effects but of love and concord? Yet accidentally it proved otherwise. For many people, ill-affected to the parliament, gave it out in ordinary discourse, (*non ignota loquor*, it is a known truth,) that the city were weary of the parliament's tedious proceedings, and would be ready to join with the king against them. Whether it begat the same opinion in the king or not, I cannot tell ; but certainly some conceived so, by actions which immediately followed, expressing a greater confidence against the parliament than before, displacing some from such trusts as they had conferred on them : insomuch that the city presently after, finding what ill use was made of these expressions, were enforced to declare themselves in a petition to both houses ; that, since some ill-affected people had interpreted their loyal and affectionate entertainment of the king as a sign that they would wholly adhere to him and desert the parliament, they openly professed the contrary ; and that they would live and die with them for the good of the commonwealth.

After which the city, no less than the parliament, did seem to be distasted both by the king and queen.

The fears and jealousies that now reigned were of a sadder nature than the fears of any former times had been. Two years before, the people feared that whilst this king lived they should never see a parliament, but now they began to fear that no parliament could do them good.

At this time began that fatal breach between king and parliament to appear visibly, and wax daily wider, never to be closed, until the whole kingdom was by sad degrees brought into a ruinous war.

From henceforth no true confidence appeared between him and that high court ; every day almost contributed somewhat to the division, and declarations upon several occasions were published to the world ; of which, though the language for the most part were fairly couched, and sweetened with frequent intermixtures of gracious expressions from the king, and affectionate professions from the parliament ; yet the substance was matter of expostulation, and many intervening actions (which we shall endeavour to express particularly) did so far heighten them, and sharpen by degrees the style, till those paper contestations became a fatal prologue to that bloody and unnatural war which afterward ensued.

The king, to answer that Remonstrance before mentioned, published a declaration to justify his own honour and government ; and at the same time sent a message to the common council of London, complaining of tumultuary assemblies of people from the city, daily resorting to Westminster, to the disturbance of that place and his palace of Whitehall.

For people about that time in great numbers used to present petitions to the parliament, and make protestations of their fidelity to them in these times of fears and jealousies, which grew now so great that the house of commons, upon the same day that the king sent that complaining message to the city, petitioned him to allow them a guard for security of their persons while they sat : alleging in the petition that there was a malignant party bitterly envenomed against them, who did daily gather strength and confidence, and were

now come to that height of boldness as to give out insolent and menacing speeches against the parliament itself. It was therefore their humble desires that they might have a guard out of the city, commanded by the earl of Essex, lord chamberlain of his majesty's household, of whose fidelity to king and commonwealth no question was ever made.

Which petition was denied by the king ; but with a solemn engagement of himself by the word of a king, that the security of all and every one of them from violence was, and ever should be, as much his care, as the preservation of himself and his children ; and if this general assurance would not suffice to remove these apprehensions, he would command such a guard to wait upon them as he would be responsible for to Almighty God.

The next day after that the king had thus answered the petition of the house, being the 4th of January, 1641, he gave unhappily a just occasion for all men to think that their fears and jealousies were not causeless. For upon that day the king came to the parliament in person, attended with a great number of gentlemen, soldiers and others, armed with swords and pistols, to the number of about three hundred, who came up to the very door of the house of commons, and placed themselves there and in all passages near unto it : the king in person entered the house of commons, and demanded five members of that house to be delivered to him. The manner of it was, seating himself in the speaker's chair, he asked him whether those five members were there or not. The speaker, Mr. William Lenthall, returned to his majesty an humble and discreet answer, that he had neither eyes to see nor tongue to answer any thing but what he was commanded by the house.

The names of those members whom he demanded were, Mr. Denzil Hollis, second son to the earl of Clare, sir Arthur Haslerig, Mr. Pym, Mr. Hampden, and Mr. Strode; all gentlemen of great esteem and reputation in the house: two of them, Mr. Hollis and Mr. Strode, having before suffered many years of sharp and harsh imprisonment from the king after the dissolution of that parliament in the fourth year of his reign, for matters done in parliament contrary to the privileges of that high court. The king had, the day before, by his attorney-general, sir Edward Herbert, a member also of the house of commons, demanded the deliverance of those five forementioned gentlemen; and sent a sergeant-at-arms to apprehend them, pretending that he meant to charge them, and together with them the lord Mandevile, eldest son to the earl of Manchester, a member of the house of lords, with articles of high treason, and other misdemeanours; which articles were to this purpose:

1. That they had endeavoured to subvert the government, to deprive the king of his legal power, and to place on subjects an arbitrary and tyrannical power.

2. That they had endeavoured, by foul aspersions upon his majesty's government, to alienate the affections of his people from him.

3. That they endeavoured to draw his late army from his obedience, to side with them in traitorous designs.

4. That they traitorously invited and encouraged a foreign power to invade his majesty's kingdom of England.

5. That they traitorously endeavoured to subvert the very rights and beings of parliament.

6. That they have endeavoured, by force and terror, to compel the parliament to join with them in their traitorous designs, and to that end have actually raised and countenanced tumults against the king and parliament.

7. That they have traitorously conspired to levy, and actually have levied war against the king.

But the house of commons hearing this demand, to prevent such further breaches of parliament privileges as might ensue, upon the same day ordered upon the question, That if any persons should come to the lodgings of any member of that house, and there offer to seal their trunks or doors, or to seize upon their persons, that then such members should require the aid of the constable to keep such persons in safe custody till the house did give further order. And they further declared, that if any person should offer to arrest or detain the person of any member of that house, without first acquainting the house therewith, and receiving further order from thence, that it should be lawful for such a member, or any person in his assistance, to stand upon his and their guard of defence, and to make resistance, according to the protestation taken to defend the privileges of parliaments.

These things had passed the day before that the king had so entered into the house of commons. His majesty finding that those five members were not there, (for they, by consent of the house, upon some informations of what would happen, had absented themselves,) from the speaker's chair, where he sat, made a speech to the house, wherein he told them, that he was very sorry for that occasion, but yet, no king of England that ever was should be more careful to maintain the privileges of parliament than he would be; that those five members were dangerous men; but he protested, in the word of a king, that he never intended any force, but to proceed against them in a legal and fair way. But sithence he could not now do that which he came for, he would trouble them no more; but expected, as soon as those five members came to the house, that the house would send them to him; or else he would take his own course to find them.

But this great breach of privileges of parliament was increased by many circumstances. For the day before, being the 3rd of January, contrary to the forementioned order of the house of commons, the chambers, studies, and trunks of those five members, by a warrant from the king, were sealed up, sir William Killigrew and sir William Flemen, with others, being employed in that service. And within two days after, upon the 6th of January, a proclamation was made by the king for the apprehending and imprisoning of those five members; wherein it was suggested, that, through the conscience of their own guilt, they were absent and fled, not willing to submit themselves to justice.

Whereupon the house of commons, in vindication of their own privileges, and those five gentlemen, published, within a few days after, a declaration, in which that proclamation of the king's (entitled there, *A printed paper*) is declared to be false, scandalous, and illegal; and that, notwithstanding the said printed paper, or any warrant issued out, or any other matter yet appearing against them or any of them, they may and ought to attend the service of the said house of commons, and the several committees then on foot: and that it was lawful for all persons to lodge, harbour, or converse with them or any of them; and whosoever should be questioned for the same should be under the protection and privilege of parliament.

The house of commons further declared, that the publishing of several articles, purporting a form of a charge of high treason against the lord Mandevile and the forenamed five members, by sir William Killigrew, sir William Flemen, and others, in the inns of court and elsewhere, in the king's name, was an high breach of the privilege of parliament, a great scandal to his majesty and his government, a seditious act

manifestly tending to the subversion of the peace of the kingdom, and an injury and dishonour to the said members, there being no legal charge or accusation against them.

Whereas there is mention made in the late recited words of this Declaration concerning the inns of court, we cannot omit, that about the same time (so unhappy a genius of division reigned among all sorts) there wanted not some men, disaffected to the parliament, who went up and down persuading the young gentlemen of the inns of court to make offer of their service to the king, as a guard of defence, if any danger threatened his person. Upon which, divers of those young gentlemen, to ingratiate themselves, repaired to the court, and were kindly received by the king and queen.

The parliament at that time further declared, that the privileges of parliament and the liberties of the subject, so violated and broken, could not be fully and sufficiently vindicated, unless his majesty would be pleased to discover the names of those persons who advised his majesty to issue out such warrants for sealing of the chambers and studies of the said five members; to send a sergeant-at-arms to the house of commons to demand those members; to issue out warrants for their apprehension; to come thither himself in person; to publish articles in the form of a proclamation against the said members in the foredeclared manner; to the end that all such persons who advised him to these actions might receive condign punishment.

According to this, the houses humbly desired his majesty that he would so far satisfy their just and legal request, as to let them know those informers; (for the law, in two several statutes, provides that satisfaction,

that if in time of parliament the king accuse a member of the same, of what crime soever, he ought to signify to the parliament who were the informers;) but the king refused to do it. Upon which the house of commons examined his attorney-general, sir Edward Herbert, who had preferred the aforesaid articles: he confessed nothing to them concerning any other person or informer; but only that he received the command from the king himself, and knew nothing further of it. The same the king testified concerning the said attorney in a letter to the lord keeper; wherein he justifieth the attorney's action, as being no otherwise than the duty of a servant required. But the parliament made another judgment of it; as namely, that sir Edward Herbert had broken the privilege of parliament in preferring the said articles, and done an illegal act: upon which he was committed to prison.

These actions of the king did exceedingly afflict all honest protestants, especially at such a time, when the affairs of bleeding Ireland did so much and so speedily require the assistance of England, which must needs by these unhappy distractions be retarded, and the total loss of the protestant cause there much endangered. But the city of London was not the least sensible of it; who, in a deep and sorrowful apprehension of this design, petitioned the king with an expression of all the fears and dangers which they conceived themselves in at that time. The things which they enumerate in their petition are, that his majesty had put out a person of honour and trust from being lieutenant of the Tower; that he had lately fortified Whitehall with men and munition in an unusual manner, some of which men had abused, with provoking language, and with drawn swords wounded divers unarmed citizens passing by. To explain this branch of their petition, the reader

must be informed, that the king, the very next day after he had entered the house of commons as aforesaid, went in his coach into the city of London, whither he had heard that those five members had retired themselves; and was every where humbly entreated by the citizens, in flocks about his coach, that he would be pleased to agree with his parliament, and not infringe the privilege thereof. The king, perceiving which way the affections of the city went, returned again to Whitehall, where he stayed about a week after. During which time, (by what advice, or to what intention, I cannot tell,) he built there a little court of guard, and entertained some gentlemen and others, who, as the petition declares, gave those affronts to divers citizens that passed by. They complain likewise in the petition of the late endeavours used to the inns of court; the calling in divers cannoniers and other assistants into the Tower; the late discovery of divers fireworks in the hands of a papist. "But most of all," say they, "our fears are increased by your majesty's late going into the house of commons, attended with a great number of armed men, besides your ordinary guard, for apprehending divers members of that house, to the endangering of your sacred person and of the persons and privileges of that honourable assembly. The effects of all which fears tend, not only to the overthrow of the whole trade of this city and kingdom, which your petitioners already feel in a deep measure, but also to the utter ruin of the protestant religion, and the lives and liberties of all your loyal subjects. The petitioners therefore most humbly pray your sacred majesty, that, by the advice of your great council in parliament, the protestants in Ireland may be speedily relieved, the Tower put into the hands of persons of trust, that, by removal of doubtful and unknown persons from about Whitehall and West-

minster, a known and approved guard may be appointed for the safety of your majesty and parliament; and that the lord Mandevile, and the five members of the house of commons lately accused, may not be restrained of liberty, or proceeded against otherwise than according to the privileges of parliament.

The king, though he conceived this petition (as himself expressed) of an unusual nature, yet, willing to give content to the city, returned a gracious answer to their particulars; that for Ireland, he conceived he had expressed as much care on his part as possibly he could, and would not fail for the future. What he had done concerning the Tower had been to satisfy their fears before, in displacing one of good trust, and putting in another of unquestionable reputation; and what preparation of strength soever he made there, was with as great an eye of safety and advantage to the city as to his own person. For his guard entertained at Whitehall, he alleged the disorderly and tumultuous conflux of people to Westminster, to the danger of his royal person, not punished at all by course of law; and if any citizens were wounded, he was assured it happened by their own ill demeanours: that he knew no other endeavours to the inns of court than a gracious intimation that he accepted the tender of their loyal affections, encouraging them to continue the same upon all occasions. That he knew of no fireworks in the hands of papists. For his going to the house of commons, that he intended no course of violence, though that way had been justifiable; for he was assured that no privilege of parliament could extend to treason; which he knew would be proved against them upon clear grounds; and they in due time should be acquainted with it; and that his proceedings against them should be according to the laws.

The king, presently after his answering of that petition, sent another message to the parliament, that for the present he would wave his proceedings against those five members; and returned a gentle answer at that time to the petitioners of Buckinghamshire, who came, to the number of about two thousand, in behalf of their knight, Mr. Hampden, a gentleman much honoured by them, and by most of the whole kingdom; in which petition they prayed that Mr. Hampden and the rest, that lie under the burden of that accusation, might enjoy the just privileges of parliament.

It was then grown a custom, which proved accidentally very unhappy to the kingdom, (however it were meant,) to come in great numbers to Westminster, when they presented petitions to the parliament; though the people petitioning were unarmed, and no just fear from them in the opinion of those who affected the parliament; yet those who thought themselves not well relished by the people in general took occasion from thence either to fear indeed, or at least to pretend fear, alleging that the parliament was disturbed by such a numerous confluence of people, and the freedom of the houses in some degree infringed; that some of the meaner sort were too apt to cast out rude words against such as they thought to be no good members of the commonwealth, of what degree soever they were.

From hence was occasion taken by some, to justify that guard about Whitehall, and afterwards to excuse the king's absenting himself from the parliament: and from this ground did the twelve bishops, about a week before this city petition, frame their petition and protestation (for so it was called) to his majesty and the peers, which was to this purpose:

They protested themselves to abominate all actions or

opinions tending to popery, or any malignity against the state: but were willing and ready to perform their duties in parliament: but, whereas, coming to perform that duty and service, they have been rudely menaced, affronted, and put in fear of their lives by multitudes of people, and can find no redress or protection upon complaint made, they therefore humbly protest before his majesty and the noble peers, that, saving to themselves all their rights and interests of sitting and voting in that house at other times, they dare not sit or vote in the house of peers, until his majesty shall further secure them. And because their fears are not vain, but upon true grounds and objects, they do, in all duty and humility, therefore protest, before his majesty and the peers, against all laws, orders, votes, resolutions, and determinations, as in themselves null and of none effect, which in their absence, since the 27th of this instant December, 1641, have already passed, as likewise against all such as shall hereafter pass, during this their enforced absence from the said house. Which protestation they desired the king to command the clerk of that house to record.

The lords of parliament immediately delivered by the mouth of the lord keeper, at a conference, to the house of commons, that seeing this protestation was of dangerous consequence, and deeply entrenching upon the fundamental privileges and being of parliament, therefore they thought fit to communicate it to the house of commons. The commons thanked their lordships for imparting it to them with so much affection and speed, and for expressing their sense thereof; and came to this resolution, to accuse those twelve bishops of high treason.

Master Glynn, therefore, was sent to the lords; who, at their bar, in the name of all the commons of England, accused those twelve prelates of high treason, for endeavouring to subvert the fundamental laws of the realm, and the very being of parliaments; and to desire the lords that they might be forthwith sequestered from

parliament, and put into safe custody ; and that their lordships would appoint a speedy day for the commons to charge them. The lords instantly sent the black rod to find out these bishops, and apprehend them ; so that by eight of the clock at night they were all taken, and brought upon their knees to the bar, and ten of them committed to the Tower : two of them, in regard of their age, were committed to the black rod. The twelve bishops were these: Jo. Eborac. Thomas Duresme, Robert Coven. and Lichfield, Jos. Norwich, Jo. Asaph, Guil. Bath and Wells, Geo. Hereford, Rob. Oxon., Matth. Ely, Godfrey Gloucester, Jo. Peterborough, Mor. Llandaff.

Such work as this was daily made to the parliament of England ; whereby not only the relief of Ireland was wholly obstructed, but all redress of the grievances of England, and settlement of the state there, was so long retarded, till both kingdoms were at last involved in the same war and confusion. It was a strange thing that so barbarous and bloody a rebellion should break out in Ireland, without any the least suspicion or fear of such a calamity, without any cause given by the innocent English protestants : and surely it may seem as strange a thing, if well considered, that the revenge of so horrid and inhuman a massacre should be thus hindered ; and indeed it might be thought almost impossible, unless the raising of the one and hindering the other proceeded from the same cause.

There was a great hope, about the beginning of December, that Ireland would speedily be relieved, and forces transported out of Scotland within a short time to that purpose, considering what careful provisions the parliament of England (as is before related) had made upon the first notice of it. But at that time the king was returned from Scotland ; and in a speech to the

parliament, in which he conjured them to proceed in the business of relieving Ireland, he likewise took notice of a bill for pressing of soldiers for Ireland, depending in the house of peers, and declared his dislike of putting it in that way; being, as he said, a great infringement and diminution of his royal prerogative; telling them withal, that he was little beholding to that man who began such a dispute concerning the bounds of his ancient and undoubted prerogative. But he offered at last that the bill might pass with a *salvo jure* both to king and people, leaving such debates to a time that might better bear it.

This speech of the king's was much distasted by both houses, as a great breach of parliament privilege, inso-much as they framed a petition to him, wherein they express, that the king, by taking notice of the debate in the house of lords concerning a bill for pressing of soldiers, had broken the fundamental privilege of parliament, which is, that he ought not to take notice of any matter in agitation or debate in either house, but by their information and agreement; and that he ought not to propound any condition or limitation to a bill in debate and preparation, or to manifest his approbation or dislike of the same, until it be presented to his majesty in due course of parliament; and that every particular member of either house hath free liberty of speech, to propound or debate matters according to order of parliament; and that the king ought not to conceive displeasure against him for such opinions or propositions. They entreated likewise a reparation for that great breach of privilege; and for prevention of the like, that the king would make known who they were by whose misinformation and evil counsel he had done it, that they might receive condign punishment.

This business took up some time, and was one un-

happy impediment to the sudden relief of Ireland, notwithstanding the high necessities of that kingdom, and the affections of England in general to it; and so heavily went on all preparations, that it was long before the house of commons could find means to enable the lord lieutenant to send over so much as one regiment, for defence of the castle and city of Dublin, which was commanded by a worthy gentleman, sir Simon Harcourt; who, being designed governor of the city of Dublin, was sent away by order of parliament with his regiment, and landed there on the last day of December 1641, to the great comfort of that city, being much distressed and terrified by the near approach of the Irish rebels.

Another obstruction of the relief of Ireland happened about three weeks after, when the Scots delivered eight propositions to the English parliament, touching the sending over of two thousand five hundred Scots, which were then in readiness, into the north of Ireland. Both houses of parliament consented to all the propositions; but the king excepted against one of them, being the third, which was, that the Scots desired to have the keeping of the town and castle of Carrickfergus, with power to remain there, or enlarge their quarters at discretion; and if any regiments or troops in that province should join with them, that they receive orders from the chief commander of the Scottish forces. Against this article the king took exceptions, and desired the houses to take it again into consideration, as a thing of importance, which he doubted might be prejudicial to England: but if the house desired it should be so, himself would speak with the Scottish commissioners, to see what satisfaction he could give them therein. The Scots told his majesty, that since it was agreed upon by both houses of parliament, and that the strength of his majesty's argument was, that article implied too great

a trust for auxiliary forces, they were in good hope that his majesty, being their native king, would not show less trust in them than their neighbour nation had freely done. Upon which the king at last was content to admit the article, and the advice of his parliament.

This fatal obstruction of Ireland's relief did but second another immediately before: for at the first, the commissioners of Scotland had not power given them from the state there, to treat for sending over a less number than ten thousand men, which the lords were unwilling to yield to. But that obstacle seemed to be removed by the zealous affection of the house of commons, who, according to those instructions of the state of Scotland to their commissioners, voted the sending over of ten thousand Scots. But the house of lords, after long debate, would not yield unto it, unless the house of commons would give assurance that ten thousand English might be as speedily sent over: which the commons as much desired, and promised their endeavour in it; but that the English then could not be so soon raised, much less transported, as the Scots, every man understood. There was no other reason given, that ever I understood, but only that it was dishonourable for England that Ireland should be reduced by the Scots: and this was the discourse of papists, and other persons disaffected to the cause, among the people every where.

Though it were much wondered at by all good protestants, that so nice a point of honour should be stood upon, when their religion and cause lay bleeding in Ireland after so sad and deplorable a kind; which began to deject the spirits of the poor protestants in Ireland, and make them suspect some secret workings underhand against the good affections expressed by

the house of commons, and those lords who were well affected to the state : for they by the greater number were over-voted, so many popish and ill-affected lords, besides four and twenty bishops, (for the bishops' voices in parliament were not then taken away,) sitting in that house.

It was then also generally talked, and much complained of among the well-affected people, that the king had been so backward in proclaiming those barbarous Irish, rebels: and not only talked among the people, but alleged by the parliament itself, (in their own declaration afterward, when the breach between king and parliament grew greater,) as a sign that those inhuman rebels had been countenanced by the court of England, in that the proclamation, whereby they were declared traitors, was so long withheld, as till the 1st of January, though the rebellion broke forth in October before ; and then no more than forty copies were appointed to be printed, with a special command from his majesty not to exceed that number ; and that none of them should be published till the king's pleasure were further signified, as by the warrant appears, a true copy whereof was printed ; so that a few only could take notice of it. And this (say they) was made more observable by the late contrary proceedings against the Scots, who were in a very quick and sharp manner proclaimed, and those proclamations forthwith dispersed with as much diligence as might be through all the kingdom ; and ordered to be read in every church, accompanied with public prayers and execrations.

That declaration of the lords and commons, in which this is expressed concerning the king's slow proclaiming of the Irish rebels, was published when the king was gone to York ; at which he was much distasted in many particulars, and returned answer to them. Among

others, because that of Ireland seemed to lie heavy upon his reputation, it is just that the reader should see the king's own answer to that point, that he may the more fairly judge; which shall be therefore inserted, in the very words of the king's Declaration:

To countenance those unhandsome expressions whereby usually they have implied our connivance at, or want of zeal against the rebellion of Ireland, (so odious to all good men,) they have found a new way of exprobration, that the proclamation against those bloody traitors came not out till the beginning of January, though that rebellion broke out in October; and then, by special command from us, but forty copies were appointed to be printed. It is well known where we were at that time, when that rebellion broke forth, in Scotland;—that we immediately from thence recommended the care of that business to both houses of parliament here, after we had provided for all fitting supplies from our kingdom of Scotland;—that after our return hither we observed all those forms for that service, which we were advised to by our council of Ireland, or both houses of parliament here: and if no proclamation issued out sooner, (of which for the present we are not certain, but think that others before that time were issued by our directions,) it was because the lords justices of that kingdom desired them no sooner; and when they did, the number they desired was but twenty, which they advised might be signed by us; which we for expedition of the service commanded to be printed, (a circumstance not desired by them,) thereupon we signed more of them than our justices desired:—all which was very well known to some members of one or both houses of parliament, who have the more to answer, if they forbore to express it at the passing of this Declaration; and if they did express it, we have the greater reason to complain, that so envious an aspersion should be cast upon us to our people, when they knew well how to answer their own objection.

This was the king's answer to that point of the parliament's declaration concerning Ireland. But the house of commons, in another declaration, though long after,

charge the king upon the same particular, with more circumstances of aggravation: as, that although the rebels had most impudently styled themselves *the queen's army*, and professed that the cause of their rising was, to maintain the king's prerogative and the queen's religion against the puritan parliament of England; and thereupon both houses of parliament did humbly and earnestly advise his majesty to wipe away this dangerous scandal, by proclaiming them rebels and traitors to his majesty and the crown of England, which then would have mated and weakened the conspirators in the beginning, and have encouraged both the parliament here and good people there the more vigorously to have opposed their proceedings; yet such was the power of evil counsel about him, that no proclamation was set forth to that purpose till almost three months after the breaking out of this rebellion; and then command given that but forty should be printed, nor they published till further direction should be given by his majesty. But the business of Ireland was more particularly touched in subsequent declarations, which in their due time and place may hereafter be related.

That proclamation against the Irish rebels came not out above two days before the king entered the house of commons, as is before expressed; by which act so great a disturbance was made, and the relief of Ireland so much retarded.

It was likewise complained of to the king by the house of commons, within three weeks after, that, since the ports, by order of both houses, (as is before mentioned,) had been stopped against all Irish papists, many of the chief commanders, then in the head of the rebels, had been suffered to pass by his majesty's immediate warrant. Of which the king cleared himself in answer to them, that by examining his own memory

and the notes of his secretaries, he could not find himself guilty of granting any such warrants.

CHAPTER III.

The queen passeth into Holland with her daughter the princess Mary. Difference between the king and parliament concerning the militia. The king goeth toward York, and is followed with a petition from the lords and commons to Theobald's, and another declaration to Newmarket. The king is denied entrance into Hull by sir John Hotham.

IT was wonderful that nothing at all could advance or further this great and necessary work of reducing Ireland, when so many courses were propounded and undertaken: as about the middle of February, both houses of parliament had found a way, which they conceived to be most substantial and firm to carry on that war; namely, by adventuring for proportions of land in Ireland; there being, by their account, within the four provinces of Ulster, Connaught, Munster, and Leinster, two millions and an half of acres of land forfeitable from the rebels in those provinces, to be shared among those adventurers in the city of London, or other counties thereabout, that would bring in or subscribe such sums of money as were thought fit, and which were upon good and serious consideration set down in particular; whereby, if an happy conquest were made upon those bloody rebels, a large recompense might be made to all those English who either in person or purse had contributed to so good a work. The king was well contented with these propositions, offering withal to go himself in person into Ireland (but that was not thought fitting by the parliament); and so far it passed, that an act was made to that purpose, enabling the parliament

with power to carry on that war, until Ireland should be declared to be wholly subdued ; and that no peace or cessation of arms should be at any time made with those rebels, unless both houses of parliament assented to it. X

But while these things were acting, other business, wherein the safety and security of England was concerned, fell into debate; which was touching the militia of the kingdom of England and dominion of Wales, to be settled in every county upon such persons as the parliament should approve. A petition to this purpose was sent to the king, presently after they had received a message from him, dated the 20th of January, wherein the king in fair language desires the parliament, since that particular grievances and distractions were too many, and would be too tedious to be presented by themselves, that they would comprise and digest them into one entire body, that so his majesty and themselves might be able to make the more clear judgment of them ; and that it should then appear, by what his majesty would do, how far he hath been from intending or designing any of those things which the too great fears and jealousies of some persons seem to apprehend, and how ready he would be to equal or exceed the greatest examples of most indulgent princes in their acts of grace and favour to the people.

This message was received with thanks by the parliament, who resolved to take it into speedy and serious consideration. But to enable them with security to discharge their duties in those affairs, they desired the king to raise up to them a sure ground of safety and confidence, by putting in the mean time the Tower, with other principal forts, and the whole militia of the kingdom, into the hands of such persons as the parliament might trust, and should be recommended to him

by both houses. This petition of theirs was not well relished by the king, as appeared by his answer. But the thing was of so great consequence that one answer could not suffice.

Many reiterated petitions were presented, and many answers returned upon this subject, which are extant upon record; where the king often promiseth to be careful that no hands, but those who are very faithful to the commonwealth, shall be by him intrusted with any part of the militia; but the nomination of any persons to those places he will reserve to himself, it being a principal and inseparable flower of his crown, vested in him, and derived to him from his ancestors, by the fundamental laws of the kingdom. The parliament on the other side affirming, that nothing could enable them to suppress the rebellion in Ireland and secure themselves, but the instant granting of that humble petition, which they hoped the king would not absolutely deny: that it was their duty to him and the commonwealth, to represent unto him whatsoever they found so absolutely necessary; for the preservation of both which, the laws both of God and man enjoin them to see it put in execution.

During the debate of this business, and before any absolute conclusion was made of it, the king took a journey to Canterbury; upon what reasons, shall be anon declared. It was before related, that the king after his entering into the house of commons to surprise the five members, had stayed a week at Whitehall, and then retired to Hampton-court; the next day after, divers citizens, with a great show of boats, and guns in them, brought the five members to Westminster, with many expressions that they would not forsake them, who sat to defend their religion, laws, and liberties.

The king, now resident at Hampton-court, seemed extremely distasted at the city, and pretended the reasons of his absence from parliament to be fear for his person, by reason of tumults that might be raised: but true it is, after this time he never could be brought near the city or parliament either in body or mind.

Within few days after the king had been at Hampton-court, he sent for divers of his servants, who were then members of parliament, to leave the house, and give their attendance upon his person: but two, the chief of them, Robert earl of Essex, lately made lord chamberlain of his household, and Henry earl of Holland, groom of the stole, chose rather to obey his writ, whereby they were called to assist in parliament about the highest affairs of England, than to obey this private command of his, to come and attend at Hampton-court, alleging in excuse, that their attendance in parliament was truer service to him as king than any other could be. For this, the king presently after sent a messenger to demand the staff of the one, and the key of the other, being the ensigns of their offices; which they willingly resigned to the messenger's hands.

From Hampton-court, about the midst of February, the king and queen went to Canterbury, and so to Dover, with the princess Mary their eldest daughter, married, not a year before, to William, son to the prince of Orange. The queen herself passed from thence into Holland, under pretext of keeping her daughter company to her husband, (the lady was then about ten years of age,) which was not at all hindered by the parliament. But the queen carried with her all or the greatest part of the crown jewels of England, which immediately she pawned in Holland, and with that money bought arms and ammunition for that sad

war which ensued not long after between the king and the parliament of England.

The king's stay at Canterbury and Dover was not long, nor the places so remote but that some business might pass, though with great trouble of those lords and others, members of the house of commons, who posted between upon all occasions. The greatest thing which was done in that time was, that the king at Canterbury signed the bill for taking away bishops' votes in parliament.

When the queen and her daughter had taken sail, the king came back to Greenwich, whither he sent for the prince and duke of York to come to him, and attend him in his journey to the city of York, which was the place which he intended to reside at, and to that purpose immediately went on his way as far as Theobald's; to which place he was followed with a petition from both houses, presented to him upon the 1st of March 1641. The substance of it was, to entreat his majesty that he would at last be pleased to grant their necessary petition concerning the militia of England; which if he did refuse, in these times of distraction, they must be enforced and did resolve to dispose of it, for the safety of the kingdom, in such manner as had been propounded to his majesty. They likewise entreated him to continue his abode near London and his parliament, and not to take his son the prince out of those parts: and in conclusion, desired his majesty to be informed by them, his great council, that by the laws of England, the power of raising, ordering, and disposing of the militia within any city, town, or other place, cannot be granted to any corporation by charter or otherwise without the authority and consent of parliament.

The king denied to give any other answer concern-

ing the militia than what he had before done ; that he conceived himself not safe in any place near London ; and that he would take such a care of the prince his son as should justify him to God as a father, and to his dominions as a king.

The parliament, upon occasion of that short answer of the king to their petition, voted presently that that answer was a flat denial ; and that all was truth which they had averred in their petition concerning the danger of his removal so far from the parliament, and likewise carrying of his son away. It was likewise ordered by the lords and commons, that the earl of Northumberland, lord-admiral, should give speedy directions for all the ships belonging to the navy royal to be speedily rigged and fitted for the service of the commonwealth.

A declaration was drawn then by both houses, and presented to the king at Newmarket, upon the 9th of March, by the earls of Pembroke and Holland, with some members of the house of commons, wherein were represented to him some of the old grievances expressed in the first remonstrance at his return out of Scotland : as, that the design of altering religion had been carried on by those of greatest authority about him for divers years ; that the war against Scotland was procured in order to that design ; that the rebellion in Ireland was contrived here in England, out of many presumptions gathered from several examinations there. They speak likewise of his attempt for bringing his army against the parliament, of which before mention was made ; of his warrants granted contrary to promise, for transportation of Jermyn, Digby, and other delinquents ; of that great breach of parliament privilege, in coming to the house of commons to surprise those members : by all which they endeavour to prove their

fears and jealousies grounded upon true substantial reasons, and necessary for the safety the commonwealth entrusted to them; and that the king's fear to reside near London is altogether without ground, and pretended for nothing but to perplex the commonwealth, proceeding from evil and traitorous counsels; affirming, that his majesty's absence would cause men to believe, that it was out of design to discourage the undertakers, and hinder the other provisions for relieving Ireland; that it would hearten the rebels there, and all disaffected persons in this kingdom.

The king expressed much indignation when he received this remonstrance, complaining of the manner of it, that it was only an upbraiding, not an invitation or persuasion of him to return to the parliament; and told them, that in all Aristotle's Rhetorics there was no such argument of persuasion; and that he would answer it in another declaration, which within few days after was drawn up and published; wherein, with deep protestations, he vindicates the truth of his religion, and justifies his other proceedings, denying those warrants for transporting master Jermyn and others, in that manner which they urge them; taxes them with their needless fears and uncertain expressions of advertisements from Rome, Venice, Paris, and other places: recites the many gracious acts which he had already passed this parliament, to satisfy his people; and protests, in conclusion, that he is most desirous to reside near his parliament, and would immediately return to London, if he could see or hear of any provisions made for his security.

The king sent them another message from Huntingdon on the 15th of March, being then upon his removal to the city of York; wherein he expresses his care of Ireland, and not to break the privilege of parliament;

but chiefly, to let them know that he understands his own rights; forbidding them to presume, upon any pretence of order or ordinance, (to which he is no party,) concerning the militia, or any other thing, to do or execute what is not warranted by those laws; and withal recommending to them the substance of his message of the 20th of January last; that they compose and digest with all speed such acts as they shall think fit, for the present and future establishment of their privileges.

These were the heads of some declarations, petitions, and answers: for about this time, and for three months after, such messages, remonstrances, petitions, and answers grew so voluminous upon all occasions as might, recited *verbatim*, make a large history.

Thus is the king gone to York, while the parliament sit at London, declaring in vain, and voting (as they did upon receipt of his last message) by consent of both houses,

1. That the king's absence, so far remote from his parliament, is not only an obstruction, but may be a destruction to the affairs of Ireland.

2. That when the lords and commons in parliament shall declare what the law of the land is, to have this not only questioned and controverted, but contradicted, and a command that it should not be obeyed, is an high breach of the privilege of parliament.

3. That they which advised the king to absent himself from the parliament are enemies to the peace of this kingdom, and justly to be suspected as favourers of the rebellion in Ireland.

It may seem strange to a reader, that the king, without any but such bootless opposition as pen and paper can make against him, even in the sight and notice of a parliament, whilst they not only beheld his actions, but seemed to discern the designs, and foresee the effects which would flow from them, could be able to carry

the work on so clearly and so far, until the whole kingdom were thereby involved in a most calamitous and destructive war. I will not presume to publish any opinion of mine own, how or when this ruin of the kingdom should have been prevented, but only relate what was then done, that posterity hereafter may judge of it.

It was not unknown to the parliament, at least not unsuspected, (for it was usually talked among the people of that time,) that the queen, when she passed into Holland, carried with her the crown-jewels, to pawn or sell there: which if she did, they could not be ignorant what the intention was, or what the effect was like to prove; nor could it be unknown to them how unlawful the act was, and therefore how fit to be prevented. For they indicted her afterwards of high treason for that fact, and were able to tell the world, in a declaration, how great a crime it is in a king himself to make away the ornaments of the crown, and in particular the jewels of it; yea, in such kings as did it only to spend or give away, not to maintain war against their own people; for whose preservation not only those, but whatsoever they possess, was first bestowed on them.

They seemed to oppose the prince's departure from Hampton-court, to attend the king his father into the north, because it might increase fears and jealousies in the people; but the king carried him away.

Above all the rest, they were not ignorant how wonderful an obstruction to all business of parliament, and to the settling of England, or relieving of Ireland, that far removal of the king's person from the parliament must needs prove, and which themselves sufficiently expressed: that the very journey itself, though no worse design were in it, was in no kind excusable, as most

inconvenient, for the reasons aforesaid, and convenient in nothing that was ever alleged for it. Yet the king passed quietly thither.

One design of the king, which indeed was thought the chief of that his northern expedition, was prevented by the parliament by an open and forcible way; which was, the seizing upon the strong town and fort of Hull, with all that magazine of arms which was there deposited. But it was very remarkable what means had been used on both sides to prevent, if it had been possible, that open denial of the king's entrance into Hull, and that the matter should not have come so far: which the king conceived so great an affront to him, that it grew the subject of many large and voluminous declarations afterward from either part.

For the prevention of that, before it happened, the king from York had sent a message to the parliament upon the 8th of April 1642, that he intended to go in person over into Ireland, to chastise by force of arms those barbarous and bloody rebels; and to that purpose he thought fit to advertise the parliament, that he intended to raise forthwith, by his commissions, in the counties near Westchester, a guard for his own person, (when he should come into Ireland,) consisting of two thousand foot and two hundred horse, which he would arm at Westchester, from his magazine of Hull.

But at the same time the lords and commons in parliament had sent a petition to the king for leave to remove the magazine at Hull to the Tower of London, alleging, that the stores of arms and ammunition in the Tower were much diminished, and that the necessity of supplies for the kingdom of Ireland (for which they had been issued from thence) daily increased: that the occasion for which the magazine was placed at Hull was taken away, there being no danger now from Scot-

land. They likewise alleged that it would be kept in the Tower with less charge and more safety, and transported from thence with much more convenience for the service of Ireland.

The king seemed very angry at this petition, alleging, among other things, that if any of those arms were designed for Ulster or Leinster, the conveyance of them would be more easy and convenient from Hull than from London. But most of all he seemed to be exasperated, (for the parliament had used timely prevention,) that they had sent to keep out from thence the earl of Newcastle, whom the king in that answer termeth *a person of honour, fortune, and unblemished reputation*, and committed that town and fort (without his consent) to the hands of sir John Hotham.

The parliament, as it appeared by their expression in a declaration at that time, were much confirmed in that opinion which they had of the king's aiming at Hull, when he went northward, by an intercepted letter from the lord George Digby, dated from Middleborough in Zealand, the 20th of January 1641, to sir Lewis Dives, wherein he writes, that if the king will declare himself, and retire to a safe place, he should be able to wait upon him from thence, as well as out of any part of England, over and above the service which he might do for him there in the mean time. The like expressions he used in another letter to the queen, intercepted in the same packet, intimating some service he might do her in those parts; and desired a cipher, whereby to hold correspondence with her in writing. This young lord, of whom we spake before about the death of the earl of Strafford, a man of excellent parts, and one that had been acceptable to the parliament, until his speech about that business, and some other miscarriage detected upon the same occasion, was much

alienated in heart from the parliament, because that speech of his (which he had printed against command) was ordered to be burned by the hands of the hangman; so that afterward he became a great cherisher, as appeared in divers things, of those divisions which were growing between the king and parliament, and was voted against in the house of commons, as a disturber of the public peace, for appearing armed at Kingston upon Thames in an unusual and illegal manner, with other circumstances thereto belonging. Whereupon the lords in parliament sent for him; and if he appeared not within twenty days, proclaimed him traitor. But he in the mean time was transported by sir John Pennington into Holland, by a warrant under the king's hand, as the declaration of the lords and commons to the king in March following expressed.

During the time that the king and parliament were (as aforesaid) busied about getting the magazine of Hull, the parliament proceeded by degrees in settling the militia in divers counties, and putting the commands into such hands as they reposed confidence in; as likewise to take charge of the navy, and provide by that means against any foreign force that might assault the kingdom. And because the earl of Northumberland and lord admiral, by reason of indisposition of health, was disenabled then for commanding the fleet in his own person, they thereupon recommended to his lordship the earl of Warwick, (a man of such ability in sea affairs, and such untainted reputation, as they durst highly trust,) to supply his lordship's room in that employment. But understanding that the king had chosen sir John Pennington into that command, a message was sent from both houses to the king on the 28th of March, to entreat him that the employment might no longer be detained from the earl of Warwick, as a

noble person chosen by both houses of parliament in that service, the charge whereof was to be borne by the commonwealth.

The king refused to admit of the earl of Warwick, taking great exception at the message from both houses, as appeared by his letter to the lord keeper concerning it, that they would take upon them the nominating of the chief sea commander. But the earl of Warwick, within few months after, though not without some opposition of divers gentlemen, who had before been placed in command by the king, and strove to carry away their ships to his majesty, was possessed of the whole navy: of which some more particulars may here-
after be related.

Upon the 23rd of April 1642, the king, attended by some noblemen, and no great train of gentlemen and soldiers, came before the walls of Hull, to demand entrance there; but he found the gates shut, and the bridges drawn up, by the command of sir John Hotham, a member of the house of commons, and by the parliament intrusted with the government of that town. Sir John Hotham appeared upon the wall, and kneeling down there, entreated his majesty that he would be pleased not to command that which he must be enforced (though extremely grieved to disobey his majesty in any thing) to deny at that time; alleging, that he could not admit his majesty without breach of trust to the parliament, beseeching the king to give him leave to send to the parliament, to acquaint them with his command, and take their direction.

The king, upon this denial, grew into choler, and after some hot words, seeming not to believe that the parliament had commanded any such thing; and to that purpose speaking, demanded of sir John Hotham, that if he had order from the parliament to keep out

his person, he should show it in writing ; for otherwise he would not believe it. But sir John Hotham, because the order was not in those express words, as naming the king's particular person, though he knew the sense and meaning of the parliament, did not produce any writing ; only beseeching the king not to command him that which he might not do. Whereupon the king, after some hours spent in vain about the town, proclaimed sir John Hotham traitor ; and returned, when he had received out of the town his son the duke of York, and his nephew the prince elector, whom sir John the day before had admitted into the town, entertained, and lodged there that night.

The next day the king, in a message to the parliament, complained of that affront offered by sir John Hotham, accusing him for that he had traitorously and seditiously strived to put his disobedience upon the parliament, the king seeming to believe that Hotham had done it upon his own head, without any direction or authority from them : and within two days after, sent another message to the parliament, complaining in a sharper manner than before of that great indignity, which, if they afforded him no reparation, would make the world believe that his privileges were less than any subject's in the land, and that it was more lawful to rob him of his proper goods than the meanest member of the kingdom. He sent also, at the same time, a letter to the mayor of Hull, commanding him, and all officers of that town, to take care that no part of the magazine should be removed, or transported out of the town, under any pretence of order or power whatsoever, without his royal assent, under his hand. He caused likewise all passages between Hull and London to be stopped up, and by that means apprehended a

servant of sir John Hotham's, going with a letter to the parliament concerning the proceedings before mentioned.

The parliament immediately, upon notice of these things, declared their reasons for Hull, and that the stopping of passages, and intercepting of messengers or letters to or from the parliament, or in their service, was an high breach of the privileges of parliament, which by the laws of the land, and their protestation, they were bound to defend, and punish the violators; authorizing, by ordinance of both houses, all sheriffs, justices, constables, and other officers, to aid them employed in the said service, for their more speedy, free, and safe passage; giving order also to the said officers within the counties of York and Lincoln, to suppress any armies raised to force Hull, or stop the passages before mentioned, in disturbance of the kingdom's peace.

It was voted by them, two days after, that sir John Hotham had done nothing but in obedience to the command of both houses of parliament. Resolved also it was upon the question, that this declaring of sir John Hotham traitor, being a member of the house of commons, was an high breach of the privilege of parliament. Resolved again, that declaring sir John Hotham traitor, without due process of law, was against the liberty of the subject and laws of the land.

An order of assistance was then given to the earl of Stamford, the lord Willoughby of Parham, sir Edward Ayscough, sir Christopher Wray, sir Samuel Owfield, and master Hatcher, as committees of both houses sent down to Hull, and the two counties of York and Lincoln, for service of the kingdom, that all sheriffs, justices, mayors, &c., should be assisting to them upon all occasions.

To that declaration, votes, and orders of assistance of both houses of parliament, the king, on the 4th of May, returned an answer, wherein at large he expresses how heinous the affront was, and how much he accounts himself injured by the parliament, in not repairing him against Hotham; labouring to prove by ancient statutes there cited, that sir John Hotham's denial of entrance to him was absolutely high treason by the law of the land.

Upon this subject, within the space of one week, two other declarations and answers passed between the king and both houses, too large to be here inserted: but the scope of the king's declarations in general are to vindicate his own rights and dignity allowed him as king by the laws of the land; wherein he seemeth not to take notice of the present occasion, or such things as are conceived dangers, and thought necessary to prevent, by a parliament sitting. The parliament, on the other side, with all humility, and reverent expressions to the king's person, seeming to take no notice of any affront offered or intended to his majesty himself, but only of preserving Hull, the militia, and navy, out of the hands of those wicked counsellors, which they conceived to be too prevalent with him, to the danger of ruining the kingdom and himself; both which they laboured to preserve, and were lawfully called to it by that authority which belongs to parliaments, by the fundamental constitution of English government. They desire to inform the king, that his interest in towns, arms, or the kingdom itself, is not of that kind that private men have interest in their goods, to sell or dispose of at pleasure; but only as intrusted to him for the good of all: in performance of which trust, none but the parliament, while it sitteth, are or ought to be his counsellors and directors: that there can be no

good or useful disputation where the principles are not granted: and it was ever heretofore taken (say they) for a certain principle, that the parliament sitting is the only judge of what is dangerous to the commonwealth, and what useful, as likewise what is lawful in those cases; which the king, by advice of no private council whatsoever, ought to control or contradict: which principle till the king will be pleased rightly to apprehend, disputations and declarations are endless, and no true understanding between him and his people can be begotten.

Of all these things if a reader desire to be satisfied in particular, he may find the questions all fully stated by the parliament, and the king's desires expressed by himself, in two large declarations; one called the parliament's third remonstrance, dated the 26th of May 1642, and the king's answer to that remonstrance.

But things began to go on in an high manner; the parliament authorizing sir John Hotham to issue out warrants to constables and other officers to come with arms for the defence of Hull; and the king, on the other side, forbidding any such warrants, bringing, or training, without an express authority under his hand.

The king had summoned the gentry of that county to attend him at the city of York, which they accordingly did, upon the 12th of May 1642; where he caused, after he had spoken some few words to them, to be read aloud in their hearing his answer to the declaration of both houses concerning Hull, the answer of the parliament to his two messages concerning Hull, together with his reply to the same, and his message to both houses, declaring the reasons why he refused to pass that bill of the militia: after which, he proceeded in a speech to them, wherein he strove to make them apprehend, that traitorous attempts might be

against his person ; and for that reason he desired a guard of horse and foot to be levied there for his defence. He complained likewise that the committee of parliament consisting of four members of the house of commons, Ferdinando lord Fairfax, sir Hugh Cholmley, sir Philip Stapleton, and sir Henry Cholmley, refused to obey his command ; for they being there employed in their own country by the parliament, to do service to the state, were commanded by the king to depart out of the country ; which they durst not do, against the intention of the parliament, who employed them there. But the king, in that speech to the county, bade them take heed of those four gentlemen, not knowing what doctrine of disobedience they might preach to the people, under colour of obeying the parliament. The king's speech and declaration read, seemed to be much applauded by many gentlemen and their servants : as when those things which came from the parliament were read, the same persons expressed much scorn, hissing, and reviling the language and reason of them.

But divers of the gentry, and greatest part of the freeholders, began with sorrow to consider that this division of the king from his great council could produce nothing but misery to the kingdom and dishonour to himself ; and therefore they humbly answered his propositions concerning a guard, that they were willing to do any service, or expose their lives to any hazard for the safety of his majesty's royal person ; yet they thought themselves unworthy to advise him in a thing of so high consequence ; but humbly beseeched him to impart the grounds of his fears and jealousies to his high court of parliament, of whose loyal care and affections to the king's honour and safety, and prosperity of the whole kingdom, they were most confident. And

in behalf of the four forementioned members of parliament lately employed to attend “your majesty,” said they, “from both houses, being all gentlemen of quality and estate in the county; we humbly crave your majesty’s leave to express our confidence in their unstained loyalty to your majesty, so far as that you may securely admit their attendance to negotiate their employments, until they shall be recalled by the parliament. And we do all engage ourselves for their fidelity, as being most assured that your royal person shall be secure in the general loyalty of your subjects in this county, without any extraordinary guard.”

The king was presented also, the next day, with a petition from many thousands, who termed themselves “peaceably affected subjects in the county of York,” in which, expressing their loyalty and affection to him, they speak thus :

We are confident that no so absolute and hearty observance of your majesty’s just commands can be demonstrated, as when you shall in parliament declare them : if they be divided, (which God forbid,) our hearts even tremble to consider the danger, and diminution of the honour and safety of yourself and kingdom ; since it is clear to every understanding, that it is not a divided part of one or several counties can afford that honour and safety to your majesty, as the whole kingdom : which you may command, no ground of fear or danger remaining, if a good confidence were begot betwixt your majesty and the parliament ; whose grave and loyal counsels are, as we humbly conceive, the visible way, under God, to put a speedy end to the troubles in Ireland, and establish your throne in righteousness. And lastly, we humbly supplicate that we may represent our unfitness to become judges betwixt your majesty and parliament in any thing, or dispute the authority of either ; which we humbly conceive do fortify each other, &c.

The king was not well satisfied or pleased with this petition, but persisted still in his former way of raising

forces under the name of a guard ; whilst the parliament were voting to maintain those gentlemen their committee in the north, in such things as they have done, and shall further do in obedience to their commands, for preservation of the kingdom's peace ; as also to maintain their ordinance concerning the militia, and to issue out commissions into all parts of the kingdom, and appoint certain days for all the trained bands to be exercised in each county according to that ordinance : and that some members might be sent into the several counties, to see the ordinance performed ; and the magazines of those several counties in England and Wales to be forthwith put into the power of the lord lieutenants of the said counties, being such as were intrusted by the parliament. And whereas the king had made proclamation for all the gentlemen and others of that county to attend him in arms as a guard, the parliament, three days after, declared, that it was against the laws and liberties of the kingdom that any of the subjects thereof should be commanded by the king to attend him at his pleasure, but such as are bound thereto by special service ; and that whosoever, upon pretence of his command, shall take arms, and gather together with others in a warlike manner, to the terror of the king's people, shall be esteemed disturbers of the public peace : and that the sheriffs of those counties where such raising or drawing of armed men should be, should immediately raise the power of the county to suppress them, and keep the king's peace according to law.

So different and directly contrary at this time were the commands of the king and parliament, in all things, that the lords in parliament having been informed that the king was resolved to adjourn the next term from Westminster to York, and had given command to the

lord keeper to issue proclamations and writs to that purpose, voted that such a removal of the term, while the parliament sat, was illegal; and ordered that the lord keeper should not issue any writs or seal any proclamation tending to that end.

CHAPTER IV.

Many members of both houses leave the parliament and repair to the king. Nine of the lords who first went away are impeached by the commons, and censured by the peers. The great seal is carried away from London to York. Some votes of parliament concerning the king's proceedings. A petition with nineteen propositions sent from the parliament to the king.

THE king proceeded in his earnest endeavour of raising forces, as a guard for his person: which in some measure he had effected, by many fair expressions of love and grace to the people of those northern counties, and serious protestations of the clearness of his intent from any violation of laws and liberties of the kingdom, or making war against the parliament. But the kingdom was not much affrighted with any forces which the king could so raise; nor could any other attempt of his in the northern parts make the people fear a civil war, until they saw that great defection of the parliament members, which began before the end of April, and continued for the greatest part of that May: for at that time did the lords, one after another, and sometimes by numbers, abandon the parliament sitting, and go to the king at York, insomuch that in a very short space those lords became the greater number; and their departure began therefore to seem less strange than the constant sitting of the rest. The lords who left the parliament were these: the duke of Richmond,

marquis Hartford, the earls of Lindsey, Cumberland, Huntingdon, Bath, Southampton, Dorset, Salisbury, (although Salisbury, within few days after, repenting himself, made a secret escape from York to London, and joined himself again to the parliament, with whom he continued constant ever after,) Northampton, Devonshire, Bristol, Westmoreland, Berkshire, Moumouth, Rivers, Newcastle, Dover, Carnarvon, Newport; the lords Maltrevers, Willoughby of Eresby, Rich, Howard of Charleton, Newark, Paget, Chandoy, Falconbridge, Pawlet, Lovelace, Savile, Coventry, Mohun, Dunsmore, Seymour, Grey of Ruthen, Capel. Within the same compass of time, many of the house of commons, though no great number in respect of those who continued in that house, did likewise so far break that trust which was reposed in them, as to forsake their seats in parliament; some of them, as was reported, invited by letters from the king, and others of their own accord.

At the revolt of so many members from the parliament, the kingdom in general began to fear; and all that loved the nation's peace were in an high measure dismayed; among whom nothing was to be heard, in all meetings and discourses, but sad presages of misery to the kingdom, if Almighty God did not in a miraculous way prevent it: they concluded that no other way could have been found out to endanger the overthrow of that parliament, which many open attempts and secret conspiracies could not do: that as the ruin of England could not in probability be wrought but by itself; so the parliament could not be broken (a prologue to the other) but by her own members, and that sentence verified, *Perditio tua ex te*. Though the opinions of men differed concerning the censure of those members; while some condemned, others in some de-

gree excused them, according as affection and private interests did lead them: yet concerning the effects which that revolt in all probability must produce, all rational men concurred in opinion, that nothing but calamity and ruin could flow from it. What else (said they) can this revolt do, but nourish and increase the king's disaffection to the parliament? What, but encourage his distance from it, and attempts against it? What, but secure the Irish rebels, and endanger the loss of that kingdom; cherish papists, obstruct justice, and give impunity to all delinquents? Nothing else had power to undermine and shake the dignity and reverence belonging to that high court; whilst not only the people, by that diminution of their number, were persuaded to esteem of it as an imperfect parliament, but the king might take that advantage of it, (which proved true in his succeeding declarations and writings, what he never did before,) as to call them a faction, or pretended parliament, and such like.

In censuring those lords and commons who deserted the parliament, the people, as was said before, did much differ. Some considering how great the number was, that many of them were of whole estates, of good reputation, and able parts, began to think, or at least to say, that the parliament was not free enough; that those members (which was also their own excuse) were curbed by a prevalent faction in the houses, and overawed by tumults from the city of London. Upon that occasion, they called to mind in what manner the names of nine and fifty members of the house of commons had been posted up at the Exchange, for dissenting from the rest about condemning of the earl of Strafford; besides what menacing speeches had been given by rude people to some lords, whom they thought ill-affected.

Others answered, that although such things had been rashly and foolishly done by some unadvised persons, yet it could not be feared that any tumults from the city would ever violate a parliament sitting; and that the tumultuous appearance of such multitudes from the city was rather intended for encouragement and security of the parliament against such invasions as might be made upon them, to awe their just freedom, and treacherous conspiracies which by report were made against them by people disaffected to that high court; which that plot of bringing the army against them formerly, and late resorts of armed persons about Whitehall, gave them cause to fear: that no fears of danger could be pretended from the house itself against any member but such as that member was bound to undergo and suffer rather than betray so great a trust of the people: that it was to be presumed that no member of parliament who was well-affected to his country could suffer any thing from the house itself, whose ends and counsels must needs be supposed to tend to the public good, or else our ancestors, who constituted that frame of government, were much deceived: that it was very improbable the liberty of subjects should be violated by that court, which is the only defence and conservator of it, and without which it had always suffered from princes, yea, such princes as were not very wicked.

They alleged that it was very dishonourable for those lords, being the greater number, to pretend fear for deserting the parliament: for if it were upon a true dislike of any proceedings there, they were enough to have stayed, and perchance have cured, those inconveniences, and too many to have suffered in a good cause: though honour would command one man alone, lawfully called to it, to maintain a truth with any hazard. On

the other side, they were too many to flee, to encourage the king against his parliament, and thereby foment that dissension which could produce no good effect.

It was alleged by many men, that some of those lords were noblemen of honourable and virtuous repute. Though that were not denied, nor could any certain sign from the former demeanours of the lords in general arise, to distinguish who were likely to adhere to the parliament and who to desert it, (for they were deceived on both sides in some particulars,) yet certainly it was averred, that those lords whom the people had most especially trusted in, as true patriots, proved to be part of those who continued in the house, and those whom the people in general distasted or distrusted happened to be among those who upon this occasion forsook the parliament.

It was likewise frequently spoken, that those members of the house of commons who deserted it were men generally of as able parts as any that continued there. It was no wonder, (replied others,) but very probable, that they were such men, and such as had, or thought they had, good parts enough to be looked upon by a prince : for those men (though we should esteem them all of equal honesty) were likeliest to fall off. There is a difference between wisdom and good parts, such as we count eloquence, wit, polite learning, and the like : and that wisdom which is least adorned with such dresses as these is usually at such times most safe in itself, and freest from being corrupted ; as that beauty is, which is set off with the least witchery of attire : for that beauty which is curiously decked, as it is most subject to be tempted by others, so it is most apt to be proud of itself, and by consequence to betray itself to such a temptation as is great enough. So it hath been often seen in this case, (as was observed by

an old parliament man,) that those gentlemen of fine parts, when other men of a plainer wisdom have had the honour in a constant way to do excellent service for the commonwealth, have been won from their country's cause, as soon as majesty hath at all vouchsafed to tempt them, or that perchance their opinion of themselves hath made them meet or seek such a temptation. Besides that danger of invitation from a king, it hath been too often known that men of such parts, or that think so of themselves, have been apter to take pet and grow angry, when any speech of theirs hath not received that honour which they expected, or any other affront hath been offered to them; and what such an anger may make proud and ambitious spirits to do, even against their own country, and the dictates of their conscience and reason, the world hath been taught by many examples, some of high consequence, and very remarkable, such as Coriolanus the Roman, and Julian the Spanish general, which, for the eminence of the persons, and extraordinary effects which they wrought in the world, must needs fall into record, when the actions of mean and private men are buried in oblivion. Besides, there are many, whose callings make them capable of easier and greater gratifications from the king than other men; as lawyers and divines; who will therefore be apt to lean that way where the preferment lies. Such discourses were frequent in all companies at that time, for different affections did at all meetings beget such argumentative language.

What sense and apprehension the parliament had of so many members forsaking their station shall appear anon, by a vote passed in the house of commons, and presented to the lords by master Denzil Hollis, after some intervening passages have been related.

Whilst the king, encouraged and strengthened by

this great accession of reputation to his side, pursued his design of raising forces in the north, the parliament, after that they had on the 20th of May petitioned the king to disband such forces, and rely for his security (as his predecessors had done) upon the laws and affections of his people, contenting himself with his usual and ordinary guards, declared that otherwise they held themselves bound in duty towards God, and the trust reposed in them by the people, and by the fundamental laws and constitutions of the kingdom, to employ their care and utmost power to secure the parliament, and preserve the kingdom's peace; and immediately it was voted in parliament, and resolved upon the question, "That it appears that the king, seduced by wicked counsel, intends to make war against the parliament, who in all their consultations and actions have proposed no other end unto themselves but the care of his kingdoms, and the performance of all duty and loyalty to his person." It was likewise resolved upon the question, "that whensoever the king maketh war upon the parliament, it is a breach of the trust reposed in him by his people, contrary to his oath, and tending to the dissolution of this government." As also, "that whosoever shall serve or assist him in such wars are traitors by the fundamental laws of this kingdom, and have been so adjudged in two acts of parliament, 11 Rich II and 1 Hen. IV: and that such persons ought to suffer as traitors."

But those lords who had forsaken the parliament continuing still with the king in the northern parts, the parliament, by an order of the 30th of May, summoned nine of them, who first had gone away, to appear at Westminster; viz. the earls of Northampton, Devonshire, Dover, and Monmouth; the lords Howard of Charleton, Rich, Grey of Ruthen, Coventry, and

Capel; but they utterly refused to come away, returning an answer in writing, which the parliament judged to be a slighting and scornful letter: upon which a vote was passed against them in the house of commons, and presented on the 15th of June to the lords, by master Hollis, with an oration of his own concerning the importance of the business: the greatest part of which speech being here inserted, may give light to the reader concerning the condition of the kingdom at that time, and the judgment of the houses upon it.

His speech began thus:

My lords, by command of the knights, citizens, and burghesses of the house of commons, I come hither to your lordships in behalf of the parliament, or rather in behalf of the whole kingdom, labouring with much distraction, many fears, great apprehensions of evil and mischief intended against it, and now hatching and preparing by that malignant party which thirsts after the destruction of religion, laws, and liberty; all which are folded up, cherished, and preserved in the careful bosom of the parliament.

It hath ever been the policy of evil counsellors (who are the greatest enemies we have in the world, or can have) to strike at parliaments, keep off parliaments, break parliaments, or divide parliaments, by making factions, casting in diversions and obstructions, to hinder and interrupt the proceedings of parliament; all against the parliament.

Your lordships have had experience of this truth this parliament; a succession of designs upon it: first, to awe it, and take away the freedom of it by the terror of an army; then, to bring force against it, actually to assault it, and with the sword to cut in sunder this only band which ties and knits up king and people, the people among themselves, and the whole frame of this government, in one firm, and I hope indissoluble knot of peace and unity.

God diverted those designs, did blow upon them; presently another is set upon, which was, to obstruct and hinder our proceedings, that in the mean time the flame of rebellion might consume the kingdom of Ireland, and distempers, dis-

tractions, and jealousies be fomented here at home, to tear out the bowels of this kingdom, the parliament being disabled from helping it, by occasion of so many diversions, so much business cut out unto it, many obstructions and difficulties, especially that great one, from whence all the rest receive countenance and support, his majesty's absenting himself, not concurring with us, and so withdrawing both his presence and influence; by which means such remedies could not be applied as were necessary, and what was done was done with infinite trouble to the parliament and excessive charge to the subject, double, treble, what otherwise would have served the turn; so the subject is grieved, and oppressed with charge, and the blame of all is laid upon the parliament, and the parliament unjustly said to be the cause of all these evils, which the authors of them had made so great, and so confirmed and secured by the frequent interruptions of the parliament, that they could not suddenly nor easily be suppressed or removed.

Well, by God's infinite blessing, the parliament was in a fair possibility to wade through this likewise, and though the night had been black and stormy, some day began to appear: miraculously our armies had prospered in Ireland, and, God be praised, the malevolent practices of these vipers at home, as they appeared, were in some sort mastered; and the parliament began to act and operate towards the settling of the great affairs both of church and state, and providing for the defence and safety of this kingdom, against either foreign invasion, or any striving of the disaffected party among themselves.

Then three ways are together assayed for the weakening and invalidating the proceeding and power of the parliament, and making way for the utter subversion of it.

1. Force is gathered together at York, under pretence of a guard for his majesty's person, to make an opposition against the parliament, and by strong hand to support and protect delinquents, so as no order of parliament can be obeyed, but on the other side is slighted and scorned, to make the parliament of no reputation, to be but *imago parlamenti*, a mere shadow, without substance, without efficacy.

2. To send out in his majesty's name, and as declarations and messages from him, bitter invectives against the parlia-

ment, to perplex it, and engage it in expense of time to answer them : and besides, cunningly to insinuate and infuse into the people, by false colours and glosses, a disopinion and dislike of the parliament, and, if it be possible, to stir up their spirits to rise against it, to destroy it, (and in it all other parliaments,) to the ruin of themselves, their wives, and children.

3. The third plot is: the members are drawn away, and persuaded to forsake their duty and attendance here, and go down to York, thereby to blemish the actions of both houses, as done by a few and an inconsiderable number, and rather a party than a parliament, and perhaps to raise and set up an anti-parliament there.

My lords, this is now the great design, whereby they hope by little and little the parliament shall even bleed to death, and moulder to nothing, the members dropping away one after another ; a desperate and dangerous practice, and, as your lordships well observed, (when you were pleased to communicate the business to us,) an effect of the evil counsels now prevailing, and tending to the dissolution of the parliament, of this parliament, which, under God, must be the preserver of three kingdoms, and keep them firm and loyal to their king, subject to his crown, save them from being turned into a chaos of disorder and confusion, and made a dismal spectacle of misery and desolation ; this parliament, which is the last hope of the long oppressed, and in other countries even almost wholly destroyed, protestant religion : this parliament, which is the only means to continue us to be a nation of freedom, and not of slaves ; to be owners of any thing : in a word, which must stand in the gap, to prevent an inlet and inundation of all misery and confusion.

My lords, this parliament they desire to destroy ; but I hope it will destroy the destroyers, and be a wall of fire to consume them, as it is a wall of brass to us, to defend king and kingdom, us and all we have.

Your lordships wisely foresaw this mischief, and as wisely have endeavoured to prevent it, by making your orders to keep your members here ; as that of the 9th of April, and several other orders enjoining them all to attend ; thereby restraining them from repairing to York, where the clouds

were observed to gather so fast, threatening a storm, and such preparations to be made against the parliament, that it necessitated both houses to pass a vote, *That the king, seduced by wicked counsel, intended to make war against the parliament; and all who shall serve and assist in such wars are declared to be traitors*: which vote passed the 20th of May: so setting a mark upon that place, and their opinion concerning those who should at this time resort thither.

Yet now, in such a conjuncture of time, when the kingdom had never more need of a parliament, and the parliament never more need of all the help and assistance of the best endeavour and advice of every member; the safety, and even being of three kingdoms depending on it; after such orders and commands of your lordships' house to the contrary; such a vote of both houses; and expressly against their duty; being called thither by writ under the great seal, which is the king's greatest and highest command, and not controllable, nor to be dispensed with by any other command from him whatsoever; and called to treat and consult *de arduis regni*, the great urging and pressing affairs of the kingdom, never more urgent, never more pressing: notwithstanding all this, these lords, the earls of Northampton, Devonshire, Dover, Monmouth, the lords Howard of Charlton, Rich, Grey, Coventry, and Capel, have left their stations, withdrawn themselves, and are gone to York; and being summoned to appear by an order of the 30th of May, instead of obedience, return refusal, by a slighting and scornful letter, which hath been so adjudged both by your lordships and the house of commons.

My lords, the house of commons hath likewise, upon the consideration and debate of this business, finding it so much to concern the safety of the kingdom, and the very being of the parliament, passed this vote; *That the departing of these nine lords from the parliament without leave, after such a time as both houses had declared that the king, seduced by wicked counsel, intended to make war against the parliament; and their still continuing at York, notwithstanding their summons and command, is an high affront and contempt of both houses; and that the said lords did as much as in them lay, that the service of parliament might be deserted, and are justly suspected to promote a war against the parliament.*

The house, in further prosecution of their duty in this particular, and in pursuance of their protestation, which obliges them to endeavour to bring to condign punishment all such high offenders against, not only the privileges, but the very essence of parliament, have sent me up to impeach these lords, and desire that speedy and exemplary justice may be done upon them.

And accordingly I do here, in the name of the knights, citizens, and burgesses of the commons' house assembled in parliament, and in the name of all the commons in England, impeach Spencer earl of Northampton, William earl of Devonshire, Henry earl of Dover, Henry earl of Monmouth, Charles lord Howard of Charleton, Robert lord Rich, Charles lord Grey of Ruthen, Thomas lord Coventry, and Arthur lord Capel, for these high crimes and misdemeanours following; viz. for that, contrary to their duty, they being peers of the realm, and summoned by writ to attend the parliament; and contrary to an order of the house of peers of the 9th of April last, and several other orders, requiring the attendance of the members of that house; and after a vote passed in both houses the 20th of May last, that the king, seduced by wicked counsel, intended to make war against the parliament; and that whosoever served or assisted him in that war was adjudged a traitor; did notwithstanding, afterwards, in the same month of May, contemptuously, having notice of the said votes and orders, withdraw themselves from the said house of peers, and repair to the city of York, where the preparations of the said war were, and yet are, in contrivance and agitation; they knowing of such preparations: and being by an order of the 30th of May duly summoned by the house of peers to make their appearance before that house upon the 8th day of June last past, they refused to appear, and returned a scornful answer by a letter under their hands, directed to the speaker of the lords' house, and remaining there upon record.

For which crimes and misdemeanours, to the interruption of the proceedings of parliament, and great affairs of the kingdom, and tending to the dissolution of the parliament and disturbance of the peace of the kingdom, I am commanded, in the name of the said commons, to demand of your lordships that the said lords may be forthwith put to

their answer, and receive speedy and exemplary punishment, according to their demerits. The commons saving to themselves liberty at all times hereafter, to exhibit any other or further impeachment or accusation against the said lords, or any of them.

Upon this impeachment of the nine lords, the house of peers, about a month after, being in their robes, entered into debate of the said impeachment ; and after divers speeches made by some lords, setting forth the greatness of their offence, they were censured, 1. Never to sit more as members of that house ; 2. That they should be utterly incapable of any benefit or privileges of parliament ; 3. That they should suffer imprisonment during their pleasure. After which censure, it was concluded that the said lords should be demanded, in the behalf of both houses of parliament, to submit to the said censure.

About that time, when the members of both houses of parliament did daily forsake their station, and repair to the king at York, another accident fell out, which gave a great wound to the parliament, and much encouragement to the king in his designs ; which was the carrying away of the great seal of England from London ✓ to York.

Edward lord Littleton, on whom the king, when the lord keeper Finch fled out of England, as is before related, had conferred the keeping of the great seal, (he being before lord chief justice of the common pleas, and created a baron of the realm,) had continued for some space of time, after the rest were gone to York, firm to the parliament in all appearance, and upon all occasions voted according to the sense of those that seemed the best affected that way ; and among other things, gave his vote for settling the militia by ordinance of parliament ; insomuch that there seemed no doubt

at all to be made of his constancy ; till at the last, before the end of the month of June, a young gentleman, one master Thomas Eliot, groom of the privy chamber to the king, was sent closely from York to him ; who being admitted by the lord keeper into his private chamber, when none else were by, so handled the matter, whether by persuasions, threats, or promises, or whatsoever, that after three hours' time he got the great seal into his hands, and rid post with it away to the king at York.

The lord keeper Littleton, after serious consideration with himself what he had done, or rather suffered, and not being able to answer it to the parliament, the next day, early in the morning, rode after it himself, and went to the king.

Great was the complaint at London against him for that action ; nor did the king ever show him any great regard afterwards. The reason which the lord keeper Littleton gave, for parting so with the great seal, to some friends of his who went after him to York, was this ; that the king, when he made him lord keeper, gave him an oath in private, which he took, that whosoever the king should send to him for the great seal he should forthwith deliver it. This oath (as he averred to his friends) his conscience would by no means suffer him to dispense withal ; he only repented (though now too late) that he had accepted the office upon those terms.

The parliament, to prevent so sad a war, sent out two orders ; one, to all sheriffs, justices, and other officers within 150 miles of the city of York, that they should take special care to make stay of all arms and ammunition carrying towards York, until they have given notice thereof to the lords and commons, and received their further direction ; and to that purpose to

keep strict watches within their several limits, to search for and seize all such arms, and apprehend the persons going with the same: the other was to the sheriff of Lancashire, and other adjacent counties, to suppress the raising and coming together of any soldiers, horse or foot, by any warrant from the king, without the advice of the lords and commons in parliament; as likewise to declare all that should execute any such warrant from the king, disturbers of the peace of the kingdom; and to command the trained bands to be assistant to the sheriffs in that service.

These orders of the parliament were immediately answered by a proclamation from the king; forbidding all his subjects belonging to the trained bands, or militia of this kingdom, to rise, march, muster, or exercise, by virtue of any order or ordinance of one or both houses of parliament, without consent or warrant from his majesty. The parliament notwithstanding proceed in settling the militia of the kingdom, (having made on the 2nd of June an order for those revolted members to return to their duty again before the 16th of that month, under the forfeiture of 100*l.*, to be disposed to the wars in Ireland, besides undergoing such punishment as the houses should think fit,) and had by this time at many places begun to settle the said militia.

Upon the same 2nd of June also, the lords and commons sent a petition to the king, with nineteen propositions; which the king received with great indignation, as appeared in his answer to them both in general and in divers particulars concerning those propositions, as esteeming himself injured in restraint of his power and prerogative. The petition and propositions were as followeth:

The humble petition and advice of both houses of parliament ; with nineteen propositions, and the conclusion, sent unto his majesty the 2nd of June 1642.

YOUR majesty's most humble and faithful subjects, the lords and commons in parliament, having nothing in their thoughts and desires more precious and of higher esteem (next to the honour and immediate service of God) than the just and faithful performance of their duty to your majesty and this kingdom ; and being very sensible of the great distractions and distempers, and of the imminent dangers and calamities which those distractions and distempers are like to bring upon your majesty and your subjects ; all which have proceeded from the subtle informations, mischievous practices, and evil counsels of men disaffected to God's true religion, your majesty's honour and safety, and the public peace and prosperity of your people, after a serious observation of the causes of those mischiefs ; do in all humility and sincerity present to your majesty their most dutiful petition and advice, that out of your princely wisdom, for the establishing your own honour and safety, and gracious tenderness of the welfare and security of your subjects and dominions, you will be pleased to grant and accept these their humble desires and propositions, as the most necessary effectual means, through God's blessing, of removing those jealousies and differences which have unhappily fallen betwixt you and your people, and procuring both your majesty and them a constant course of honour, peace, and happiness.

The propositions.

1. That the lords and others of your majesty's privy-council, and such great officers and ministers of state, either at home or beyond the seas, may be put from your privy-council, and from those offices and employments, excepting such as shall be approved of by both houses of parliament : and that the persons put into the places and employment of those that are removed, may be approved of by both houses of parliament : and that privy-councillors shall take an oath for the due execution of their places, in such forms as shall be agreed upon by both houses of parliament.

2. That the great affairs of the kingdom may not be concluded or transacted by the advice of private men, or by any unknown or unsworn counsellors ; but that such matters as concern the public, and are proper for the high court of parliament, which is your majesty's great and supreme council, may be debated, resolved, and transacted only in parliament, and not elsewhere : and such as shall presume to do any thing to the contrary shall be reserved to the censure and judgment of parliament : and such other matters of state as are proper for your majesty's privy-council shall be debated and concluded by such of the nobility and others as shall from time to time be chosen for that place, by approbation of both houses of parliament. And that no public act concerning the affairs of the kingdom, which are proper for your privy-council, may be esteemed of any validity, as proceeding from the royal authority, unless it be done by the advice and consent of the major part of your council, attested under their hands. And that your council may be limited to a certain number, not exceeding twenty-five, nor under fifteen. And if any councillor's place happen to be void in the interval of parliament, it shall not be supplied without the assent of the major part of the council ; which voice shall be confirmed at the next sitting of parliament, or else to be void.

3. That the lord high steward of England, lord high constable, lord chancellor, or lord keeper of the great seal, lord treasurer, lord privy seal, earl marshal, lord admiral, warden of the cinque ports, chief governor of Ireland, chancellor of the exchequer, master of the wards, secretaries of state, two chief justices, and chief baron, may always be chosen with the approbation of both houses of parliament ; and in the intervals of parliaments, by assent of the major part of the council, in such manner as is before expressed in the choice of councillors.

4. That he or they unto whom the government and education of the king's children shall be committed, shall be approved of by both houses of parliament ; and in the intervals of parliament, by the assent of the major part of the council, in such manner as is before expressed in the choice of councillors : and that all such servants as are now about them,

against whom both houses shall have any just exceptions, shall be removed.

5. That no marriage shall be concluded or treated for any of the king's children, with any foreign prince, or other person whatsoever abroad or at home, without the consent of parliament, under the penalty of a *præmunire* unto such as shall be concluded, or treat any marriage as aforesaid: and that the said penalty shall not be pardoned or dispensed with but by the consent of both houses of parliament.

6. That the laws in force against Jesuits, priests, and popish recusants, be strictly put in execution, without any toleration or dispensation to the contrary: and that some more effectual course may be enacted by authority of parliament, to disable them from making any disturbance in the state, or eluding the law by trusts or otherwise.

7. That the votes of popish lords in the house of peers may be taken away, so long as they continue papists: and that your majesty will consent to such a bill as shall be drawn, for the education of the children of papists by protestants in the protestant religion.

8. That your majesty will be pleased to consent that such a reformation be made of the church government and liturgy as both houses of parliament shall advise; wherein they intend to have consultations with divines, as is expressed in their declaration to that purpose; and that your majesty will contribute your best assistance to them, for the raising of a sufficient maintenance for preaching ministers through the kingdom: and that your majesty will be pleased to give your consent to laws for the taking away of innovations and superstition, and of pluralities, and against scandalous ministers.

9. That your majesty will be pleased to rest satisfied with that course that the lords and commons have appointed for ordering the militia, until the same shall be further settled by a bill: and that your majesty will recall your declarations and proclamations against the ordinance made by the lords and commons concerning it.

10. That such members of either house of parliament as have during this present parliament been put out of any place

and office, may either be restored to that place and office, or otherwise have satisfaction for the same, upon the petition of that house whereof he or they are members.

11. That all privy councillors and judges may take an oath, the form whereof to be agreed on and settled by act of parliament, for the maintaining of the petition of right, and of certain statutes made by this parliament, which shall be mentioned by both houses of parliament: and that an inquiry of all the breaches and violations of those laws may be given in charge by the justices of the King's Bench every term, and by the judges of assize in their circuits, and justices of the peace at the sessions, to be presented and punished according to law.

12. That all the judges, and all the officers placed by approbation of both houses of parliament, may hold their places *quam diu bene se gesserint*.

13. That the justice of parliament may pass upon all delinquents, whether they be within the kingdom, or fled out of it: and that all persons cited by either house of parliament may appear, and abide the censure of parliament.

14. That the general pardon offered by your majesty may be granted with such exceptions as shall be advised by both houses of parliament.

15. That the forts and castles of this kingdom may be put under the command and custody of such persons as your majesty shall appoint, with the approbation of your parliament; and in the intervals of parliament, with approbation of the major part of the council, in such manner as is before expressed in the choice of councillors.

16. That the extraordinary guards and military forces now attending your majesty may be removed and discharged; and that for the future you will raise no such guards or extraordinary forces, but according to the law in case of actual rebellion or invasion.

17. That your majesty will be pleased to enter into a more strict allegiance with the states of the United Provinces, and other neighbour princes and states of the protestant religion, for the defence and maintenance thereof against all designs and attempts of the pope and his adherents to subvert and suppress it: whereby your majesty will obtain a great access

of strength and reputation, and your subjects be much encouraged and enabled in a parliamentary way, for your aid and assistance in restoring your royal sister and her princely issue to those dignities and dominions which belong unto them; and relieving the other distressed protestant princes who have suffered in the same cause.

18. That your majesty will be pleased, by act of parliament, to clear the lord Kimbolton, and the five members of the house of commons, in such manner, that future parliaments may be secured from the consequence of that evil precedent.

19. That your majesty will be graciously pleased to pass a bill for restraining peers made hereafter from sitting or voting in parliament, unless they be admitted thereunto with the consent of both houses of parliament.

And these our humble desires being granted by your majesty, we shall forthwith apply ourselves to regulate your present revenue in such sort as may be for your best advantage, and likewise to settle such an ordinary and constant increase of it, as shall be sufficient to support your royal dignity in honour and plenty, beyond the proportion of any former grants of the subjects of this kingdom to your majesty's royal predecessors. We shall likewise put the town of Hull into such hands as your majesty shall appoint, with the consent and approbation of parliament, and deliver up a just account of all the magazine, and cheerfully employ the uttermost of our endeavours in the real expression and performance of our most dutiful and loyal affections, to the preserving and maintaining the royal honour, greatness, and safety of your majesty and your posterity.

HEN. ELSYNGE, cler. parl. D. Com.

To these propositions, sent from the parliament, the king returned such an answer as showed that he was much displeased with the whole business: for before his particular answers to the several propositions, he complaineth in general, and those very sharp, expressions of the method of their proceedings against him: and that the cabalists of this business (for so he calls

them) have used great art and subtlety against him, first to strengthen themselves with unlawful power, before they make their illegal demands. He taxes them, that first they had removed the law itself, as a rub in their way, and pressed their own orders and ordinances upon the people (tending to a pure arbitrary power) as laws, and required obedience to them, without the consent or concurrence of himself. That they had wrested from him the command of the militia, (a thing inherent in his crown,) countenanced the treason of Hotham against him, and directed to the people invectives against his government, to weaken his just authority and due esteem among his subjects; casting upon him aspersions of a strange nature, as, that he should favour a rebellion in the bowels of his kingdom. He complains likewise that they had broached (for so he calls it) a new doctrine, namely, that the king is bound to pass all laws that shall be offered to him by both houses of parliament: a point of policy fit for their present business, as destructive to all his rights. That they have overawed his subjects, in stifling all petitions that did not please them; and filled the people's ears with needless fears and jealousies, and such like things, before they thought his majesty sufficiently prepared to take those bitter pills. For, saith he, "if they had unseasonably vented such propositions, as the wisdom and modesty of their predecessors never thought fit to offer to any of our progenitors, nor we, in honour or regard to our regal authority, (which God hath intrusted us with for the good of our people,) could receive without just indignation, (for such many of the present propositions are,) their hopes would soon have been blasted, and those persons to whom offices, honours, power, and commands were designed, by such ill timing of their business, would have failed of their

expectation, not without a brand upon the attempt." Therefore he saith, that they had made beforehand those forenamed preparations. The king seems to doubt likewise, because the parliament have not told him that this is all they desire of him, that these propositions are probably intended to make way for a superfoetation of a (yet) higher nature. And in the propositions in general he observes, that the contrivers of them (the better to advance their true ends) disguised as much as they could their intents with a mixture of some things really to be approved by every honest man, others specious and popular, and some already granted by him: all which, saith he, are cunningly twisted, and mixed with other things of their main design of ambition and private interest.

But the king desires not to be understood so, as if he intended to fix this design upon both or either house of parliament: for he utterly professeth against it, being most confident of the loyalty, good affections, and integrity of the intentions of that great body, and knowing well that very many of both houses were absent, and many dissented from all those particulars of which he complains: but that he believes, and accordingly professes to all the world, that the malignity of this design hath proceeded from the subtle informations, mischievous practices, and evil counsels of some ambitious turbulent spirits, disaffected to God's true religion, (using their own language,) the unity of the professors thereof, his honour and safety, and the public peace and prosperity of the people. (And such other like general expressions.)

In particular, the king expressed himself with great indignation against ten of their propositions, which were the 1, 2, 3, 4, 5, 9, 15, 16, 19: averring, that if they did intend the establishment of his honour, toge-

ther with the security of his people, (as their profession is,) they would not offer him such propositions : for that profession, joined to these propositions, appeared to his judgment as a mockery and scorn.

He averreth further, that their demands are such, as that he were unworthy of that royal descent from so many famous ancestors, unworthy of the trust reposed in him by the laws, if he should divest himself of such a power so inherent in his crown, and assume others into it ; protesting, that if he were both vanquished and a prisoner, in worse condition than any the most unfortunate of his predecessors had ever been reduced unto, he would never stoop so low as to grant those demands, and to make himself of a king of England a duke of Venice.

The several answers that the king made, and arguments that he used to each several branch of those propositions, are too large to be here inserted, and may be read, by those that would be further informed, in the printed book of parliament declarations and ordinances ^b.

^b The book here referred to was printed in this very same year 1642, at London, for Edward Husbands, J. Warren, and R. Best, and sold at the Middle Temple, and at Gray's-Inn-gate, and at the White Horse in Paul's Churchyard : and its title was as follows : " An Exact Collection of all Remonstrances, Declarations, Votes, Orders, Ordinances, Proclamations, Petitions, Messages, Answers, and other remarkable Passages between the King's Most Excellent Majesty and his High Court of Parliament; beginning at his Majesty's Return from Scotland, being in December 1641, and continued until March the 21st, 1643."

Which were formerly published either by the king's majesty's command, or by order from one or both houses of parliament.

With a table, wherein are most exactly digested all the forementioned things according to their several dates and dependencies.

CHAPTER V.

An order for the bringing in of plate and money into Guildhall.

The king's declaration to the lords about him : their profession and protestation to him. The king layeth siege to Hull, but raiseth it again. The earl of Warwick taketh possession of the navy, as lord admiral. The earl of Essex is voted in parliament to be lord general of all their forces.

ON the 10th day of June following, an order was made by both houses of parliament for bringing in of money and plate, to maintain horse, horsemen, and arms for preservation of the public peace, and defence of the king's person, (for that the parliament in their expressions always joined together with their own safety,) and both houses of parliament. Wherein it was expressed, that whosoever should bring in any money or plate, or furnish any horsemen and arms for that purpose, should have their money repaid with interest, according to eight in the hundred ; for which both houses of parliament did engage the public faith.

Four treasurers were ordained, whose acquittances for the receipt of any sum should be a sufficient ground to the lenders to demand their money and plate again with the interest belonging thereunto. The treasurers were, sir John Wollaston, knight and alderman of London, alderman Towes, alderman Warner, and alderman Andrewes. Commissaries also were appointed to value the horse and arms which should be furnished for that service.

It was desired in that order, that all men resident in or about London, or within eighty miles, would bring in their money, plate, or horse within a fortnight after notice ; and they that dwell further off, within three weeks : and that those who intended to contribute within the time limited, but were not for the present provided of money or horse, should subscribe, that it

might be soon known what provision would be for effecting of that great and important service. And in conclusion it was declared, that whatsoever was brought in should be employed to no other purposes but those beforementioned; the maintenance of the protestant religion, the king's person, dignity, and authority, the laws of the land, the peace of the kingdom, and privileges of parliament.

Whilst this order was drawing up, advertisement by letters was given to the parliament, that the crown jewels were pawned at Amsterdam, and other places of the Netherlands; upon which money was taken up, and warlike ammunition provided in those parts, as battering pieces, culverins, fieldpieces, mortar pieces, granadoes, with great store of powder, pistols, carabines, great saddles, and such like. Whereby the parliament thought they could not otherwise judge, than that the king did plainly intend a war against them, and had designed it long before. X.

They received intelligence at the same time that the king had sent a commission of array into Leicestershire, directed to the earl of Huntington, the earl of Devonshire, and Mr. Henry Hastings, second son to the earl of Huntington, (for the lord Hastings' eldest son to that earl did then adhere to the parliament,) which three were chief in the commission; but many other knights and gentlemen of that county were named in it. Together with this commission of array, the king sent a letter also, containing the reasons of it, wherein he complaineth that the parliament, by their ordinance for the militia, would divest him of that power which is properly inherent in his crown. And for the occasion and reason of that commission, he urgeth a declaration of their own, using their very expressions and words in his letter; that whereas it hath been declared by votes of both

houses of parliament, the 15th of March last, that the kingdom hath of late been, and still is, in evident and imminent danger, both from enemies abroad and a popish discontented party at home ; he concludes that, for the safeguard both of his own person and people, there is an urgent and inevitable necessity of putting his people into a posture of defence, &c. Thus did the parliament's prologue to their ordinance of militia serve
X the king's turn for his commission of array *totidem verbis*. The copy of which commission and letter coming into the hands of the parliament, it was resolved upon the question, by the lords and commons assembled in parliament, that this commission of array for Leicester is against law, and against the liberty and property of the subject : and resolved again upon the question, within two days after, that all those that are actors in putting the commission of array in execution shall be esteemed as disturbers of the kingdom's peace, and betrayers of the liberty of the subject. It was also ordered by both houses, that this commission of array, and the forementioned votes, should be forthwith printed and published through the kingdom.

The king was not wanting to his own design in the mean time, and whatsoever might give countenance to the business he had in hand ; but made a short declaration to the lords who then attended him at York, and others his privy council there, in these words :

We do declare, that we will require no obedience from you but what is warranted by the known laws, as we expect that you shall not yield to any commands not legally grounded or imposed by any other. We will defend all you, and all such as shall refuse any such commands, whether they proceed from votes and orders of both houses, or any other way, from all danger whatsoever. We will defend the true protestant religion established by the laws, the lawful liberties of the subjects of England, and just privileges of all the three estates

of parliament ; and shall require no further obedience from you, than as we accordingly shall perform the same. We will not (as is falsely pretended) engage you in any war against the parliament, except it be for our necessary defence against such as do insolently invade or attempt against us and our adherents.

Upon this declaration of the king, those lords and others of his council made a promise to him, and subscribed it with their hands, as followeth :

We do engage ourselves not to obey any orders or commands whatsoever, not warranted by the known laws of the land. We engage ourselves to defend your majesty's person, crown, and dignity, with your just and legal prerogative, against all persons and power whatsoever. We will defend the true protestant religion established by the law of the land, the lawful liberties of the subjects of England, and just privileges of your majesty, and both houses of parliament. Lastly, we engage ourselves not to obey any rule, order, or ordinance whatsoever, concerning any militia, that hath not the royal assent.

Subscribed by

L. Keeper, D. of Richmond, Ma. Hertford, E. of Linsey, E. of Cumberland, E. of Huntington, E. of Bath, E. of Southampton, E. of Dorset, E. of Salisbury, E. of Northampton, E. of Devonshire, E. of Bristol, E. of Westmoreland, E. of Berkshire, E. of Monmouth, E. of Rivers, E. of Newcastle, E. of Dover, E. of Carnarvon, E. of Newport, L. Mowbray and Maltrevers, L. Willoughby of Eresby, L. Rich, L. Charles Howard of Charleton, L. Newark, L. Paget, L. Chandoy, L. Falconbridge, L. Paulet, L. Lovelace, L. Coventry, L. Savile, L. Mohun, L. Dunsmore, L. Seymour, L. Grey of Ruthen, L. Fawlkland, the comptroller, secretary Nicholas, sir John Culpeper, lord chief justice Banks.

The king immediately wrote a letter to the lord mayor of London, the aldermen and sheriffs, forbidding by express command any contribution of money or plate

toward the raising of any arms whatsoever for the parliament; and that they should lend no money, unless toward the relief of Ireland, or payment of the Scots. He published then a declaration to all his subjects, inveighing bitterly against the parliament, for laying a false and scandalous imputation upon him of raising war against the parliament, or levying forces to that end: in which he invites all his loving subjects, to prevent his own danger, and the danger of the kingdom from a malignant party, (taking up the parliament's language,) to contribute money or plate to him, and they shall be repaid, with consideration of eight in the hundred. And immediately upon it made a profession before those forementioned lords and councillors about him, (calling God to witness in it,) disavowing any preparations or intentions to levy war against the parliament: upon which those forementioned lords, and others then present at York, made this declaration and profession, subscribed under their hands:

We whose names are underwritten, in obedience to his majesty's desire, and out of the duty which we owe to his majesty's honour and to truth, being here upon the place, and witnesses of his majesty's frequent and earnest declarations and professions of his abhorring all designs of making war upon the parliament; and not seeing any colour of preparations or counsels that might reasonably beget the belief of any such design, do profess before God, and testify to all the world, that we are fully persuaded that his majesty hath no such intention; but that all his endeavours tend to the firm and constant settlement of the true protestant religion, and the just privileges of parliament, the liberty of the subject, the law, peace, and prosperity of this kingdom.

The king, strengthened with arms and ammunition from Holland, and more strengthened (for as yet he wanted hands to wield those arms) by this protestation of lords in his behalf concerning his intention of not

making war against the parliament, whereby the people might more easily be drawn to side with him, proceeded in his business with great policy and indefatigable industry. His pen was quick in giving answer to all petitions or declarations which came from the parliament; and with many sharp expostulations, in a well compiled discourse, on the 17th of June, answered a petition of the parliament; which petition was to this effect, that he would not disjoin his subjects in their duty to himself and parliament, destroying the essence of that high court; which was presented to him at York by the lord Howard, sir Hugh Cholmely, and sir Philip Stapleton: and within three weeks, both in his own person and by his messengers, with speeches, proclamations, and declarations, advanced his business in a wonderful manner. At Newark he made a speech to the gentry of Nottinghamshire in a loving and winning way, commending their affections toward him; which was a great part of persuasion for the future, coming from a king himself. Another speech he made at Lincoln, to the gentry of that county, full of protestations concerning his good intentions, not only to them, but to the whole kingdom, the laws and liberties of it. In that short time also, by the help of many subtle lawyers, whom he had about him, he returned a very long and particular answer, with arguing the case in all points^c, to a declaration which the parliament had before made against the commission of array, expounding that statute, 5 Hen. IV, whereupon that commission was supposed to be warranted. The proofs and arguments on both sides are to be read at large in the records, or in the printed book of ordinances and declarations, where a

^c These answers of the king were, for the most part, drawn up by Mr. Edward Hyde, who was afterwards earl of Clarendon, and lord chancellor of England.

reader may satisfy his own judgment. Within that time also the king sent out a proclamation against levying forces without his command, urging laws and statutes for it : and another long proclamation to inform the people of the legality of his commissions of array, and to command obedience to them. Another he sent forth against the forcible seizing or removing any magazine of ammunition of any county ; and another, forbidding all relieving or succouring of Hull against him. Upon which the parliament declared, that those proclamations, without their assent, were illegal ; and forbad all sheriffs, mayors, &c. to proclaim them, and all parsons and curates to [read] or publish them.

From York the king removed to Beverley ; from whence he sent a message to both houses, and a proclamation concerning his going to Hull, to take it in ; requiring, before his journey, that it might be delivered up to him. But that message of his came to the house of peers after they had agreed upon a petition, which was drawn up, to move the king to a good accord with his parliament, to prevent a civil war : to be carried to him, and presented at Beverley, by the earl of Holland, sir John Holland, and sir Philip Stapleton. That very petition seemed to them so full an answer to the king's message, that both houses resolved to give no other answer to that message but the said petition. But immediately after, a declaration was published by both houses of parliament, for the preservation and safety of the kingdom, and the town of Hull ; with assurance of both houses to satisfy all loss sustained by any service done for the safety of the said town, by reason of overflowing of water upon the grounds there, to all persons who should be found faithful in their several services.

The king continued resolute in his intention of gain-

ing Hull : by what means he attempted it, and how those attempts proved to be frustrate, is now the subject of a short discourse.

The town of Hull was not more considerable to the kingdom as a maritime and strong place, than it was now made remarkable to the world in many high and famous circumstances of this civil war ; for which cause I shall the more particularly insist upon it.

Hull was the place which (being intrusted with so rich a magazine of ammunition) did probably allure the king to forsake a parliament sitting at London and visit the north. Hull was the place where the king in person did first find his commands denied, and his attempts resisted in an actual way ; which proved the subject of so many declarations and disputations of state and government ; and Hull is the place which must now bear the first brunt of his armed indignation.

The king, with an army of three thousand foot and one thousand horse, was removed from York to Beverley, a town distant from Hull six miles ; and intending to besiege Hull by land, (expecting also that sir John Pennington with some of his ships should stop the passages, and cut off provisions from relieving the town by sea, though that expectation were made frustrate by the earl of Warwick his seizing on the navy royal,) proclaimed that none, on pain of death, should convey any provision or relief thither. He disposed many men in cutting of trenches, to divert the current of fresh water that ran to Hull, and sent two hundred horse into Lincolnshire under the command of the lord Willoughby, son to the earl of Lindsey, and sir Thomas Glenham, to stop all relief of it from Burton upon Humber.

Sir John Hotham, perceiving the king's intentions and endeavours, and knowing him to be in person

within an hour and half's march of the town, having first sent three messengers, one after another, with humble petitions to him, who were all laid fast by the king, and not suffered to return, called a council of war, in which it was debated, whether or not they should permit the enemies to march near the town with their ordnance, holding them play from off the wall and outworks, until the tide came to its height, and then draw up the sluice, and let them swim for their lives. But a more merciful advice prevailed, which was, (for prevention of so many deaths,) to draw up the sluice presently, having the advantage of a spring tide, and drown all the country about Hull. But sir John Hotham, before it was done, gave the inhabitants and owners of land thereabout sufficient and timely notice to remove their cattle and all their goods, and assured them (which was ratified by the parliament upon the public faith) that whatsoever damage they received thereby should be repaired by the authority of parliament out of the estates of those persons who had been most active and assistant to the king in that design.

Sir John by letters informed the parliament in what condition the town was, desiring only (so it might speedily be done) a supply of money and victuals, with five hundred men. Upon which, by command of parliament, drums were beat up in London, and other adjacent places, for soldiers to be sent to Hull by sea. The earl of Warwick was desired by the houses to send two of the king's ships from the Downs to Hull, to do as sir John Hotham should direct for his best assistance. And sir John Meldrum, a Scottish gentleman, an expert and brave commander, was appointed to assist sir John in that service.

The king's army were not confident to carry the

town by plain force, making their approaches with great difficulty and disadvantage, and those for the most part in the night time, when undiscovered they burnt two mills about the town : they therefore had recourse to subtlety : and knowing some within the walls fit for their purpose, a plot was therefore laid to fire the town in four places, which whilst the soldiers and inhabitants were busy in quenching, two thousand of the king's army should assault the walls. The sign to those within the town, when to fire those places, was, when they discerned a fire on Beverley-minster, this should be assurance to them within the town that they without were ready for the assault. But this treason had no success, being discovered by one of the instruments, and confessed to sir John Hotham. Many particular services were done both by land and water, by barks and boats upon the river Humber.

The townsmen of Hull were so far provoked by this treacherous design of their enemies, and so much animated against them, that they all entered into pay, and now the walls would not contain them ; but five hundred of the town, conducted by sir John Meldrum, issued out, about the end of July, upon their besiegers ; who seeing their approach, prepared courageously to receive and encounter them : but they were but a small part of the king's forces which were resolute to fight ; the other part, which consisted of the trained bands of that country, were not forward to be engaged against their neighbours : the king's horse, and most resolute assistants, seeing themselves deserted by the foot, retired as fast as they could to Beverley : but sir John Meldrum pursued them, slew two, and took thirty prisoners in the pursuit. And not long after, when the supplies from London arrived at Hull, sir John Meldrum, with a greater force, made so fierce a sally upon

his enemies, as caused most of the leaguer to retire disorderly, one and twenty of them being slain, and fifteen taken prisoners. Sir John Meldrum following the advantage of his success with a swift motion, arrived suddenly at a leaguer town called Aulby, between three and four miles from Hull; where the king's magazine was kept in a barn, in which was a great quantity of ammunition, powder, and fire-balls, and certain engineers employed there for making of fireworks: sir John suddenly set upon it in the night, drove away the guard, who consisted most of trained bands, and other Yorkshire men, bearing no great affection to the war, and therefore ran more speedily away, leaving their arms behind them: much of the ammunition and other arms they took away with them, fired the barn, the powder, and fireworks, and what else they could not carry with them, and returned safely again into Hull.

The king calling a council of war, and considering the ill success of his proceedings, and the preciousness of that time which he consumed there, by their advice resolved to break up his siege before Hull, and march away; the chief men about him laying the fault of this failing upon the unskilfulness of the country captains and cowardice of the trained bands. The king probably might have sped better, if sir John Pennington could have brought part of the navy to his assistance: but that was seized by the earl of Warwick; of which it will be now time to speak more particularly.

The earl of Warwick had in former times been so great a lover of the sea-service, and so well experienced in those affairs, being besides a man of courage, of religious life, and known fidelity to his country, that among all the noblemen at this time he was esteemed by the parliament (in this important business of settling their

militia by land and sea,) the fittest man to take command of the navy as lord admiral. According to that, an ordinance of both houses was drawn up, to confer the office on him.

The king had given the employment to sir John Pennington, a man who had long been vice-admiral, and a successful commander; and had written his letters to the earl of Warwick, with a strict command to quit the place. The earl of Warwick was in a great strait between two such high commands, being gone down to take possession of the navy, and therefore called a council of war, acquainting them all both with the ordinance of parliament and the king's letters. But the earl himself was swayed in conscience to give obedience rather to the ordinance of parliament; and the reason of it himself gives in a letter directed to a lord of the house. "When I considered," saith he, "the great care which I have seen in the parliaments of this kingdom for the good and safety both of king and kingdom, and every man's particular in them; and that they are the great council, by whose authority the kings of England have ever spoken to their subjects; I was resolved to continue in this employment, until I shall be revoked by that authority that hath intrusted me with it."

Most of the captains took up unanimously the same resolution that the earl did, excepting five, which were the rear-admiral, captain Fogge, captain Baily, captain Slingsby, and captain Wake, who alleged that they had the king's command to obey sir John Pennington, whom he had appointed admiral instead of the earl of Northumberland. These five had gotten together round, to make defence against the earl: but he came to anchor about them, and having begirt them, summoned them again; upon which three of them came in, and sub-

mitted; two only, captain Slingsby and captain Wake, stood out. The earl let fly a gun over them, and turned up the glass upon them, sending his boat, and most of the boats in the fleet, to let them know their danger if they came not within that space. But so peremptory was their answer, that the masters and sailors grew impatient; and although they had no arms, assaulted them, seized upon those captains, being armed with their pistols and swords, struck their yards and topmasts, and brought them to the earl. Thus, by the wonderful courage of these unarmed men, the business was ended without effusion of any blood, when the earl was ready to give fire upon them.

Within few days after, another addition of strength was brought to the earl of Warwick by an accident. A great and strong ship of the king's, called *The Lion*, putting to sea from Holland, and bound for Newcastle, being much distressed with foul weather, was driven into the Downs. Captain Fox, who commanded that ship, saluted the earl of Warwick, who presently acquainted the captain with the ordinance of parliament whereby his lordship had command of those ships, requiring his submission thereunto. The captain at first refused to yield obedience to the ordinance, and thereupon was presently clapped in hold: but all his officers in the ship submitted themselves, and struck their sails and topyards in token of obedience to the said ordinance. This ship was very considerable, carrying two and forty great pieces of brass ordnance; besides, a little vessel laden with gunpowder of a great value was taken also together with this ship. The earl was informed by some of her men, that young prince Rupert and prince Maurice, with divers other commanders, intended to have come from Holland in this ship, the *Lion*. But after three days' and three nights' storm at

sea those two princes (in a sick and weak condition) landed again in Holland.

The king hearing of the surprisal of the Lion, sent a messenger to the earl of Warwick to demand her again, with all the goods therein, and that she should be brought to Scarborough. But the earl returned an answer to this effect, that the parliament had intrusted him with the care of the fleet, and that that ship was a part thereof; therefore he humbly besought his majesty to pardon him; for without their consent he might not part with her; and that he knew of no goods within her belonging to his majesty.

But leaving the earl of Warwick to his sea employments, it is time to return to those warlike levies and preparations which were made by land; for now the fatal time was come, when those long and tedious paper conflicts, of declarations, petitions, and proclamations, were turned into actual and bloody wars, and the pens seconded by drawn swords.

On the 12th of July 1642, the parliament voted that an army should be raised for the safety of the king's person and defence of the parliament; for so they called it, desiring to join together what seemed to be at so great a distance and enmity.

The earl of Essex was by a great and unanimous consent of both houses chosen general of that army, and of all forces raised for the parliament; with whom they protested to live and die in that cause.

The earl of Essex was a gentleman of a noble and most untainted reputation, of undoubted loyalty to his country and prince; having always (what course soever the court steered) served in an honourable way the right interest of the English nation and the protestant religion; and to that end had formerly engaged himself in the palatine war, and service of the Netherland

united provinces : insomuch as at this time, when they sought a lord to undertake the high charge of commanding in chief, there seemed to be no choice at all ; but we may say of this election as Paterculus did of another, *Non quærendus erat quem eligerent, sed eligendus qui eminebat.*

The parliament at that time were very able to raise forces, and arm them well, by reason of the great mass of money and plate which to that purpose was heaped up in Guildhall, and daily increased by the free contribution of those that were well-affected to the parliament cause ; where not only the wealthiest citizens and gentlemen who were near-dwellers brought in their large bags and goblets, but the poorer sort, like that widow in the gospel, presented their mites also ; insomuch that it was a common jeer of men disaffected to the cause, to call it *the thimble and bodkin army.* 2

The earl of Essex was very careful and industrious in raising of his army ; in which he desired to have as great a body of horse as could conveniently be gotten, by reason that he conceived his chief work was to seek out the king's forces, and prevent their spoiling of the country and disarming several counties to furnish themselves. And indeed his forces, considering the long peace of England, and unreadiness of arms, were not only raised, but well armed in a short time. Many of the lords who then sat in the house of peers (besides those lords who went into divers counties to settle the militia, and therefore raised forces for safety of those several places) listed themselves in the lord general's army, and took commissions as colonels ; the lord Roberts, the lord Saint John, eldest son to the earl of Bullenbrook, the lord of Rochford, eldest son to the earl of Dover, and many gentlemen of the house of commons, of greatest rank and quality there, took com-

missions for horse and foot service in that army; of whom these were some: sir John Merrick, who was made sergeant-major-general of that army; the lord Grey of Grooby, son to the earl of Stamford; master Denzil Hollis, master Hampton, sir Philip Stapleton, sir William Waller, sir Samuel Luke, sir Henry Cholmly, master Grantham, master Whitlock, with divers others. The earl of Bedford, within two days after that the earl of Essex was chosen generalissimo, was voted to be general of the horse.

CHAPTER VI.

A brief relation of the condition of divers counties in England when the parliament's ordinance for the militia and the king's commission of array were put in execution. With a mention of some lords and others who were actors on either side. The lord mayor of London committed to the Tower, and sentenced by the parliament. A mention of some declarations, messages, and answers that passed between the king and the two houses of parliament.

DURING the time that this army was raising for the parliament, to be conducted by his excellency in person, the king, with small strength as yet, was removing from place to place to gather forces, and draw people to his side. Of whose proceedings, and by what degrees he increased in power, I shall speak hereafter in a continued series, to avoid confusion in the story. But in the mean time, the parliament's ordinance of militia and the king's commission of array were justling together almost in every county; the greatest of the English nobility on both sides appearing personally, to seize upon those places which were deputed to them either by the king or by the parliament. No ordinances from the one or proclamations from the other could

now give any further stop to this general and spreading mischief. God was not pleased that one chimney should contain this civil fire, but small sparks of it were daily kindling in every part of the land.

Let it not therefore seem amiss, if in the first place I make a brief relation into what posture every particular county, or most of them, had endeavoured to put themselves, during that time, which was since the 12th of July, when the first apparent denouncing of war began, and the general was elected in parliament, till the 23rd of October, when it broke out into a fierce and cruel battle. But let not the reader expect any full or perfect narration of this, which would take up too great a time, and prove as tedious as unnecessary. The only reason why I have entered into it is to inform the reader what lords and gentlemen did first appear in action on either side in those particular counties, that in the progress of the story he may be better acquainted with those names whose actions proved of so high concernment in the future war. Nor can any perfect judgment be made of the affections or condition of any one county in this brief narration of so short a time: for scarce was there any city or shire but endured in process of time many changes, and became altered from their first condition, either by unconstancy of affections, or else enforced to take a new side, as they were threatened by approaching armies of either party, when the war grew to a greater height.

In some counties there was no struggling at all, one side wholly prevailing, and the people's affections bending the same way; as it appeared in Lincolnshire at the first, (which was the first account given to the parliament of their militia, and where some circumstances are of that note, as to make it justly deserve a more particular recital than other places,) when the lord

Willoughby of Parham went down thither, being chosen by the parliament lord lieutenant of that county. This young lord being come to Lincoln expresth to the parliament what cheerful and hearty obedience he found from the captains and officers of the trained bands, and in how good a posture they were, beyond all expectation; considering the unhappiness of the plague being then in the town, which hindered the appearance of some; but that was fully supplied by a company of volunteers, equal in number and goodness of arms to the trained bands. Yet that change which I spake of before did afterwards sadly appear in this county, which was afterwards as much divided in itself as any part of England, and by that means a most unhappy seat of war, often gained and regained by either side. Lincolnshire was then very forward for the lord Willoughby, (however, afterward he found some resistance from the earl of Lindsey, who sided with the king,) as he wrote up to the parliament, and sent also to them the king's letter and his own answer; which are both fit to be inserted into the story, being the first of that kind, and much unfolding the nature of the business.

The king's letter to the lord Willoughby of Parham.

CHARLES REX.

Right trusty and well-beloved, we greet you well. Whereas we understand that you have begun to assemble, train and muster the trained bands of our county of Lincoln, under pretence of an ordinance of parliament whereto we have not given our consent, which is not only contrary to the law, but to our command and pleasure, signified by our proclamation sent to our high sheriff of that our county. Wherefore, that you may not hereafter plead ignorance of such our prohibition, we do by these our letters command and charge you, upon your allegiance, to desist and forbear to raise, train, exercise, or assemble together any part of the trained bands of our county, either by yourself, or by any others em-

ployed under you, or by warrant from you. And because you may, for what you have already done concerning the militia of that our county, plead, that you had not so particular a command, we shall pass by what you have already done therein, so as presently, upon your receipt hercof, you shall desist and give over meddling any further with any thing concerning the militia of that our county. But if you shall not presently desist, and forbear meddling therewith, we are resolved to call you to a strict account for your disobedience therein, after so many particular and legal commands given you, upon your allegiance, to the contrary; and shall esteem and proceed against you as a disturber of the peace of the kingdom.

Given at our court at York the 4th of June 1642.

To our right trusty and well-beloved, the
lord Willoughby of Parham.

*The lord Willoughby of Parham's letter in answer to
his majesty.*

SIR,

As there can be nothing of greater unhappiness to me than to receive a command from your majesty whereunto my endeavours cannot give so ready an obedience as my affections; so I must confess the difficulty at this time not a little, how to express that duty which I owe to your majesty's late commands, and not falsify that trust reposed in me by your high court of parliament; through whose particular directions I am now come into this county to settle the militia, according to the ordinance of parliament, which by the votes of my lord Littleton, and others in the house of peers, better versed in the laws than myself, passed as a legal thing; and hath since been confirmed (if I mistake not) by his example, and your majesty's chief justice, sir John Banks, both in accepting their ordinance and nominating their deputy lieutenants: how much further they proceeded, I know not.

But, sir, if the opinions of those great lawyers drew me into an act unsuitable to your majesty's liking, I hope the want of years will excuse my want of judgment. And since by the command of the parliament I am now so far engaged

in their service, as the sending out warrants to summon the county to meet me this day at Lincoln, and afterwards in other places; I do most humbly beseech your majesty not to impose that command on me, which must needs render me false to those that rely on me, and so make me more unhappy than any other misery that can fall upon me.

These things, sir, I once more humbly beseech your majesty may be taken into your gracious consideration; and that you would never be pleased to harbour any misconceit of me or of this action; since nothing hath yet passed by my commands here, or ever shall, but what shall tend to the honour and safety of your majesty's person, to the preservation of the peace of your kingdoms, and to the content (I hope) of all your majesty's subjects in these parts, amongst whom I remain

Your majesty's most humble and
most dutiful subject and servant,

FRA. WILLOUGHBY.

Upon the receipt of these letters, the lords sent a message to the house of commons, in which they expressed how much they did value and approve the endeavours of this lord, in a service so much importing the safety of this kingdom, not doubting of their readiness to concur with them, upon all occasions, to manifest the sense they have and shall retain of his deservings; which appear the greater, by how much the difficulties (appearing by the circumstances of those letters) have been greater. The lords therefore, as they resolved to make his interest their own in this service for the public good and safety of the kingdom, so they desired the commons to join with them in so just and necessary a work. To this the house of commons consented, and resolved to join with the lords in this vote, making the like resolution also for the deputy-lieutenants for the county of Lincoln, and desired the lords' concurrence therein. Upon which it was ordered by the lords in par-

liament, that they agree with the house of commons for the resolution concerning the deputy-lieutenants of the county of Lincoln.

In Essex also, which proved a most unanimous county, and by that means continued in peace and happiness, the earl of Warwick, (whose care and action was not confined only to the sea,) chosen lord lieutenant by the parliament, when he went down to muster and exercise the country, was received with great applause. The trained bands were not only complete, but increased by volunteers to unusual numbers; and so affectionate to that cause they were in general, that they presented a petition to the earl of Warwick and the deputy-lieutenants, in the name of all the captains and lieutenants of the several companies, and in the name of all persons belonging to the trained bands. To which petition, when it was read in the field, they expressed a full consent by their general acclamations and applause in every company. The earl of Warwick therefore sent the petition to the parliament, to let them see the extraordinary alacrity and affection of that county of Essex to them; which was in these words which follow:

To the right honourable Robert earl of Warwick, lord lieutenant of the county of Essex; and to the worthy gentlemen the deputy-lieutenants of the same county, confided in by the most honourable the high court of parliament.

We the captains and lieutenants, with the full consent of the trained bands and volunteers of the county now assembled, having, before the access of this present parliament, seen our religion, our laws and liberties, brought to the brink of ruin and subversion, by the results of most desperate and wicked counsels, could not but with exceeding joy behold the assembling and continuance of so great and faithful a council, (the representative body of this kingdom,) and with most certain confidence commit thereto all that was dear unto us.

And having also seen the late hellish designs and actings of a malignant party in this kingdom, and the bloody rebellion in Ireland, all working to retard the progress or subvert the being of this worthy parliament, and therein to bereave us of all our hopes of reformation, or future peace and happiness to this church or state; we cannot but ascribe all glory and praise unto the Lord of lords, and express most hearty thankfulness to his blessed instruments, that great assembly, for their undaunted resolutions, unparalleled endeavours, and happy proceedings for the common good. And herein (as not the least means of our safety) for the most necessary and seasonable ordinance of theirs touching the militia, whereby we are put under the command and guidance of so noble a lord and such worthy gentlemen, whereunto we humbly desire this present day and meeting may be an evidence and pledge of our free and willing obedience.

Having intrusted our religion, our laws, and all into the hands of that great and most faithful council the parliament, whose care and fidelity we have so abundantly found, we even bleed to see the heart and actions of our royal king (contrary to his own royal expressions) declining from the counsels of his parliament, and carried after other counsels, whom, as the laws and constitutions of this land have not known nor reposed upon, so we (for our own parts) neither will nor dare intrust with our religion or laws; and whom, we verily believe, could they prevail against that highest court, (under God our chiefest bulwark and defence,) would soon deprive us both of religion and law, and (notwithstanding all their specious pretences) reduce us to a condition no less miserable than slavish.

From the deep apprehensions of all which, we do freely and heartily promise and tender our persons and estates to assist and defend (to the uttermost) the high court of parliament now assembled, the members, power and privileges thereof; and therein, his majesty's person and authority, and the kingdom's peace, (according to our late protestation,) against all contrary counsels, power, or force of arms whatsoever, which shall be reared up or attempted against them.

And this our humble acknowledgment and resolution, (which, we doubt not, will be accorded unto by all good

subjects,) we humbly desire your honour and worships to tender, on our behalf, to that most honourable assembly of parliament ; for whose happy progress and success we shall daily pray.

Subscribed,

J. Kiteley, Henry Farre, John Ballet, John Flemming, William Marsham, Robert Barrington, captains. Thom. Harper, John Woodcock, Richard Lawrence, George Colwel, Thomas Clark, William Burls, lieutenants.

The parliament were very forward to express their approbation of this most affectionate declaration of the Essex men, and returned them an answer; part of which was in this manner :

This just and faithful resolution of theirs to the public good, the lords and commons do not only approve, but commend ; assuring them, that as their endeavours have been for the peace and happiness of the king and kingdom ; so they will persist in discharge of the great and public trust which lies upon them ; to go through all difficulties which may oppose the public peace and welfare of this kingdom ; and will upon all occasions be ready to express particularly to those persons that respect which is due to persons from whom they have received so great assurance of affection and fidelity.

In Kent there was cheerful obedience (without any open opposition) showed to the ordinance of the militia; as it appeared by their petition and proclamation, and more by their real and constant actions. True it is, that some gentlemen of that county were not much affected to the parliament's cause, who did accordingly frame a displeasing petition to the houses, and brought it up to London, accompanied with many gentlemen of that county : but the parliament having notice of it, sent officers, and disarmed those gentlemen who brought the petition before they passed over London bridge ; and the two which presented it to the house of commons, sir William Butler and Mr. Richard Lovelace, were both committed. Those in Kent who favoured

the king's party and commission of array were not a number considerable enough to bring that county into any combustion; the gentlemen which adhered to the parliament used so great a care and industry in settling the militia, in disarming those few (but great) papists among them, in raising arms, and taxing themselves at high rates for the service of the parliament, that they not only preserved their own county in quiet, but gave great assistance to the parliament armies in other places, as will appear in the sequel of this story.

The eastern end of Sussex (it being a long and narrow county lying for many miles upon the sea) stood firm to the parliament, and were very industrious in settling of the militia, by which means they were so happy as to preserve themselves in peace and quietness. But the western part of that county, by means of many revolted members of the parliament, inhabitants there, together with their allies and friends, was at the first in some distraction, though it continued not very long.

Surrey and Middlesex, by fortune of their situation, could not but side with, and by consequence be protected by, the parliament.

The eastern counties, Suffolk, Norfolk, and Cambridgeshire, once the kingdom of the East-Angles, were happily kept from the beginning without any great combustion; though it were certain that many of the chief gentry in those counties bended in their affections to the king's commission of array: but they were not a part strong enough to engage their countries in a war: (for the freeholders and yeomen in general adhered to the parliament; and those gentlemen who attempted to raise men, or draw forces together, or provide arms for the king, were soon curbed, and all their endeavours crushed at the beginning, by those of the other side; especially by the great wisdom and indefatigable

industry of master Oliver Cromwell, a member of the house of commons, who had taken a commission for colonel of horse from the parliament: of whose particular actions there will be high occasion to discourse hereafter.

The county of Southampton began at the first to be divided, and continued so, being long and variously perplexed with the changing fortunes of either side. Colonel Goring, eldest son to the lord Goring, who had been the year before a means to detect that conspiracy of bringing the northern army against the parliament, (of which already hath been spoken,) and by that grown into some trust with the parliament, of which he was a member, was sent down to Portsmouth, to keep that place for them, and three thousand pounds allowed him for the charges of fortification. He receiving that money from the parliament broke his trust, and kept the place for the king against them; with what success, shall hereafter be declared. But immediately after his revolt, the earl of Portland, governor of the Isle of Wight, a man suspected by the parliament, was committed to custody in London, for security of his person, lest he should comply with colonel Goring, and command that island for the king's party. The government of Wight was then committed to the earl of Pembroke, a man of whose fidelity the parliament doubted not.

Though the southern and eastern parts of England enjoyed some show of rest, the counties more remote from London, toward the north and west, could not at all partake of that happiness.

In Lancashire the lord Strange, son to the earl of Derby, who was made lord lieutenant of Lancashire and Cheshire by the king, seeking to put the commission of array in execution, found great resistance from the parliamentary gentlemen, sir Thomas Stanley, mas-

ter Holland, master Holcraft, master Egerton, master Booth, as also master Ashton and master Moor, both members of the house of commons; by whom, within the space of few months, he was quite driven out of the county, and that shire wholly ruled by the parliament, though it abounded more with papists than any other.

The lord Strange upon the 15th day of July had made an attempt to gain Manchester, and by those gentlemen was repulsed, where one man was slain; which was the first blood shed in these civil wars. But this lord was not at all fortunate in service against the parliament; who not long after returned again with a great force, consisting of three thousand men, to the town of Manchester; where, after he had sharply besieged it for the space of two whole weeks, he was at last quite beaten, with the loss of many of his men.

In Cheshire also, the other county of which he was made lieutenant by the king, his fortune was no better; where he was resisted by sir William Brereton and other gentlemen, and hindered from seizing the magazine of that county, as he intended. Nor could the earl of Rivers, whom the king had put into the commission of array, (being a papist,) assist him sufficiently to make good that county for the king, but that the papists were all disarmed there by those protestant gentlemen that adhered to the parliament.

Further north the countries were more full of variance. The earl of Newcastle, with a strong garrison, kept for the king the town of Newcastle. And the earl of Cumberland, made lord lieutenant of Yorkshire by the king, was active in putting the commission of array in execution; but resisted they were by the lord Fairfax and others of the parliamentary gentlemen. But this business of the north shall now be passed over, deserving a larger story hereafter, when time shall re-

quire to speak of the earl of Newcastle's greatness, and the various fortunes of the lord Fairfax, and his son sir Thomas Fairfax.

In Derbyshire, where many great lords and gentlemen inhabited, none at all of note stood for the parliament but sir John Gell and his brother; of whose actions it will be seasonable to speak in another place.

Staffordshire and Nottinghamshire were in no less combustion.

In Leicestershire the troubles were far greater, and early begun by master Henry Hastings, second son to the earl of Huntingdon, whom the king had made sheriff of that county, and put into the commission of array; who raised great forces to seize upon the magazine of that county. Against whom the earl of Stamford was sent by the parliament, as lord lieutenant, with a considerable strength; who arriving there did much curb the proceedings of master Hastings, and took possession of the town of Leicester.

Great was the contention about that time in Warwickshire between the earl of Northampton for the king and the lord Brook for the parliament, not without sharp encounters, and slaughter on either side. The earl having seized the ordnance at Banbury, marched with great fury into Warwickshire, spoiling the country as he went, though not without opposition of the people and the lord Brook's forces; against whom he could not at all prevail.

The earl of Pembroke had settled the militia in Wiltshire with small ado, though it continued not long so. And the earl of Holland in Berkshire, being but faintly resisted by the earl of Berkshire, the lord Lovelace, and others. For soon after the earl of Berkshire, together with sir John Curson, sir Robert Dormer, and others for the commission of array, who came to Watlington

in Oxfordshire to seize the magazine of that part of the county, which was laid up in that town, were there taken prisoners, and sent up to the parliament by colonel Hampden and colonel Goodwin, two members of the house of commons, and knights for the shire for Buckingham.

But the further that this discourse travels westward, the greater and more remarkable you shall find such contestations; especially considering the number of lords and gentlemen of great rank, and many of them members of parliament, who sided with the king against the parliament, and were therefore afterward voted out of the house. One great head there was of all those western counties, William marquis of Hartford, whom the king, by his commission of array, had appointed chief, and made him lord lieutenant-general of Devon, Cornwall, Somerset, Dorset, Wilts, Southampton, Gloucester, Berks, Oxford, Hereford, and seven counties within the principality of Wales; who, notwithstanding his high command, was never able to achieve any great matter for the king's side; so much were the common people of the west at that time inclined to the parliament, and so active were those gentlemen who stood for it—such as were the sons of sir Francis Popham, master Alexander Popham, Hugh and Edward, who were more animated by the example of their aged father, master Strode a deputy-lieutenant, and others—against all those frequent attempts which the marquis made.

Great was the number of considerable men in those countries which took part with the marquis against the parliament, and very industrious in their several stations to put in execution the commission of array; as the lord Paulet, sir Ralph Hopton, and sir John Stowel, both members of the house of commons, and for that

reason put out of the house. Sir Richard Slany in Cornwall, another member, put out also for the same cause; as likewise were sir Edward Rodney and master Coventry, both parliament men, who followed the marquis in some of his actions. Sir Beville Greenvile, an active man, another member of parliament, was very industrious for the array, both in Cornwall and Devon, joining himself with the earl of Bath, came for that purpose to his house at Tastock in Devonshire, and assisted by many gentlemen, as master Culins, sheriff of that county, Mr. Bamfield, Mr. Ashford, Mr. Gifford, Mr. Saithil, baronet Seymour, and Mr. Courtney; to whose assistance squire Rogers came with forces out of Dorsetshire.

Various were the successes which marquis Hartford, assisted by so many of the gentry, found in his several enterprises; sometimes prevailing, but more often distressed. In one skirmish, which, about the beginning of August, himself, the lord Paulet, sir Ralph Hopton, sir John Stowel, and Mr. Smith, another member of the house of commons, made against the deputy-lieutenants in Somersetshire, he prevailed against them, and possessed himself of the town of Shepton Mallet; ten men were slain, and many wounded. Going afterwards to Wells, he had been besieged by many thousands of the people, who arose against him; but that, having timely notice of their coming, he escaped a back way out of the town. About which time the earl of Bedford was sent down by the parliament against him with three hundred horse; by whom the lord marquis, the lord Paulet, sir Ralph Hopton, colonel Lunsford, and many other considerable men, were besieged in Sherburn. For great numbers out of the country came daily to the assistance of the earl of Bedford. Many weeks did that siege continue; many sallies were made out,

and sharp encounters on both sides performed with great courage; the parliament side being in firm hope to have taken them at last; which was conceived a thing of great moment and advantage to their affairs, if they could have possessed the persons of so many men, considerable both in their fortunes and valour; and who proved afterwards very strong and cruel enemies. Yet that hope was frustrate: for about the beginning of October they all escaped out of Sherburn: the earl nevertheless pursued after them, and in the chase took Mr. Pallart, sir Henry, sir John, and sir Charles Barclay, prisoners. Within a week after, the earl of Bath was apprehended, and brought up a prisoner to the parliament.

It cannot be much wondered at that division was found in country towns and villages so far remote from the parliament, where the people were variously wrought upon by persuasions or fears from either side, when London itself, the seat of that great council, and chiefest bulwark of their defence, was not without some taste of these distractions. Which, besides the actions of some private citizens, too petty to be here rehearsed, may appear to the reader in one thing, which cannot be omitted: the lord mayor of London was at this time a prisoner in the Tower, committed by the parliament.

Sir Richard Gurney, lord mayor of London for that year, was charged by the house of commons on the 7th of July for being a mover of sedition in the kingdom, in causing the king's proclamation concerning the commission of array (which was declared by both houses to be illegal) to be proclaimed in the city. And the charge being perfected, was sent up to the lords, desiring that he might forthwith be called to his answer, which was accordingly granted.

Four days after, while the lord mayor was attending

the lords' house upon this charge, an additional impeachment was read against him in the house of commons, brought in by the common council of London, for divers breaches of his oath in execution of his office, for proclaiming divers illegal proclamations, and contemning the orders of parliament,

This impeachment was forthwith sent up, and read in the lords' house. Upon the reading of which, it was ordered that he should be sent to the Tower, from thence to be brought to a legal trial upon his impeachment.

Many days, during the space of a whole month, was this lord mayor brought from the Tower to Westminster, to attend the lords of parliament, and many times returned back without being heard, by reason of so great a multiplicity of business as the houses were then in.

At last, after some hearings, he was brought, on the 12th of August, to the house of lords, to receive his censure: the effect whereof was, that he should be put from his mayoralty, never bear office in the city or commonwealth, be incapable of all honour or dignity to be conferred on him by the king, and stand committed prisoner to the Tower during the pleasure of both houses.

During the time of these contentions between the ordinance of the militia and commission of array, which is briefly touched by itself, it will not be amiss to return to the king's proceedings in his own person, by what degrees he came to increase in strength, and what contestations happened betwixt himself and the parliament: wherein that which concerned the pen shall be first briefly touched, and then his other actions. But those declarations, petitions, and proclamations, which upon all occasions were then published, are too many

and too long to be recited in a story; in the records and printed books of ordinances they may be read. I shall only mention some of the chief, and excerpt the most material contents of them.

The parliament, about the end of July, had petitioned the king to forbear all preparations of war, and remove his garrisons. To which he gave answer, and upbraided them with their preparations of war, for appointing the earl of Essex to be their general, and the earl of Warwick admiral. In that answer, he descants at large upon particulars, commanding his said answer and their petition to be read in all churches. To which the parliament reply, as they had done before, that they cannot lay down arms, nor rejoin the parliament to any other place, as he would have them, unless he leave off those warlike preparations, and comply with that council, to which only he ought to adhere by the constitution of this government. They likewise command the petition, answer, and reply to be read in all churches.

But things proceeding still higher, the king, being returned to the city of York, from thence sent forth a proclamation, to suppress (as he there styleth it) the present rebellion under command of Robert earl of Essex; offering withal free pardon to him, and all such as shall within six days after the date thereof, being the 9th of August, lay down their arms. In which proclamation also he commanded the marquis Hartford to raise speedily what forces he could, within all those counties whereof he had made him lieutenant-general in the commission of array, (of which before was spoken,) and to march against, destroy, or apprehend the said earl of Essex.

The parliament upon this proclamation make a declaration, wherein they briefly recount all the king's

former proceedings against them and the kingdom : all which they attribute (after their usual manner) to his wicked council ; and promise still to make him great and happy, if he will return to his great council.

But the next day after his former proclamation, the king, continuing still at York, sent forth another, declaring that no papist should serve him in his army, and that his soldiers should commit no rapine upon the people. And within two days after that he published a discourse, called "A declaration to all his loving subjects concerning the proceedings of this present parliament." This Declaration was of a great length, containing fifty pages in a large quarto. In which was comprised a kind of history touching all former passages betwixt himself and them, from the beginning of these divisions ; which is to be read in the printed book of parliament ordinances. Toward the end of that Declaration, he protesteth a wonderful love to parliaments, and to the peace and happiness of the kingdom ; but he requires that some persons (as disturbers of the public peace) may be delivered into the hands of justice, to be tried by their peers, naming the lord of Kymbolton, and those five members of the house of commons whom before he came to surprise in that house, master Hollis, sir Arthur Haslerig, Mr. Pym, Mr. Hampden, and Mr. Strode, as likewise Mr. Henry Martin and sir Henry Ludlow, two members also of the house of commons, for speaking some bold speeches in that house. He also desires to have delivered up to him alderman Pennington, who succeeded in the mayoralty to the forenamed sir Richard Gurney, and captain Venn, one of the city captains : those two last he accuses of bringing tumults from the city, to terrify the parliament at Westminster. Another desire of the king's is, that indictments of high treason upon the statute of the 23rd year of king Edward the

Third may be drawn against the earls of Essex, Warwick, and Stamford, the lord Brook, sir John Hotham, and sergeant-major-general Skippon, an expert and religious soldier, a man of high action in the succeeding war, whom the city had employed in exercising of their militia; as likewise against all those who shall hereafter exercise the militia by virtue of the ordinance of parliament.

The pen was very quick upon all occasions; and the king, the next day after the publication of this long forementioned Declaration, sent a message to the parliament, upbraiding both houses with an order which they had then made for the borrowing of 100,000*l.* out of that money which the adventurers had raised for reducing of Ireland and subduing the rebels there; affirming, that out of his princely care and piety toward distressed Ireland, he cannot but take notice of it; commanding them immediately to retract that mischievous and unjust order, (for so he calls it,) as they would answer the contrary to Almighty God, himself, and those that have trusted them: wherein he expecteth their speedy answer and obedience; and the rather, that he may thereby be secured that such part of the 400,000*l.* as is or shall be collected from his good subjects of England, by virtue of the late act of parliament whereby the same is granted, may not likewise (under false pretences) be diverted from the proper use to which it was intended, and misemployed to the disturbance of the kingdom's peace, in a war against him.

The lords and commons in parliament make answer to this message, expressing what caution there was in the very order (which upon that very occasion was printed) for speedy repayment of that sum, and disposing of it to the right use. But first they tell the

king, that this very message of his to them is an high breach of the privilege of parliament: and upon that occasion they call to remembrance and declare many particulars of their care for the relief of Ireland, and the king's hindering of it. Those particulars there expressed are as followeth: they declare, "that this bloody rebellion was first raised by the same counsels that had before brought two armies within the bowels of this kingdom, and two protestant nations ready to welter in each other's blood, which were both defrayed a long time at the charge of the poor commons of England, and quietly at last disbanded, by God's blessing upon the parliament's endeavours. That this design failing, the same wicked councils who had caused that impious war raised this barbarous rebellion in Ireland; and recommended the suppressing thereof (for the better colour) to the parliament's care; who out of a fellow-feeling of the unspeakable miseries of their protestant brethren there, (not suspecting this horrid plot, now too apparent,) did cheerfully undertake that great work, and do really intend and endeavour to settle the protestant religion and a permanent peace in that realm, to the glory of God, the honour and profit of his majesty, and security of his three kingdoms. But how they have been discouraged, retarded, diverted in and from this pious and glorious work, by those traitorous counsels about his majesty, will appear by many particulars."

They there mention the sending over at first of 20,000*l.* by the parliament, and that good way found out to reduce Ireland by the adventure of private men, without charging the subject in general, which would probably have brought in a million of money, had the king continued in or near London, and not, by leaving his parliament, and making war upon it, so intimidated

and discouraged the adventurers, and others who would have adventured, that that good bill is rendered in a manner ineffectual.

They mention, that when at the sole charge of the adventurers five thousand foot and five hundred horse were designed for the relief of Munster, under the command of the lord Wharton, and nothing was wanting but a commission to enable that lord for the service, such was the power of wicked counsel, that no commission could be obtained from the king; by reason whereof Limerick was wholly lost, and the province of Munster since in very great distress.

That when well-affected persons, at their own charge, by way of adventure, had prepared twelve ships and six pinnaces, with a thousand land forces, for the service of Ireland, desiring nothing but a commission from his majesty; that commission, after twice sending to York for it, and the ships lying ready to set sail three weeks together, at the charge of near 300*l.* a day, was likewise denied. And those adventurers (rather than lose their expedition) were constrained to go by virtue of an ordinance of both houses of parliament.

That, though the lords justices of Ireland earnestly desired to have two pieces of battery sent over, as necessary for that service; yet such commands were given to the officers of the Tower, that none of the king's ordnance must be sent to save his kingdom.

That Charles Floyd, engineer and quartermaster-general of the army in Ireland, and in actual employment there against the rebels, was called away from that important service by express command of the king.

That captain Green, comptroller of the artillery, a man in pay, and principally employed and trusted here by the lord lieutenant of Ireland for providing and order-

ing the train of artillery which was to be sent to Dublin, and who had received great sums of money for that purpose, was commanded from that employment and trust, to serve the king in this unnatural war against his parliament. And when the parliament had provided six hundred suits of clothes for present relief of the poor soldiers in Ireland, and sent them towards Chester, William Whitaker, that undertook the carriage of them, was assaulted by the king's soldiers lying about Coventry; who took away the six hundred suits of clothes, and the poor man, his waggon and horses, though they were told that the clothes were for the soldiers in Ireland, and though the poor carrier was five times with the earl of Northampton to beg a release of his waggon.

That three hundred suits of clothes sent likewise by the parliament for Ireland, with a chirurgion's chest of medicaments, towards Chester, were taken all away by the king's troopers under command of one captain Middleton, together with the poor carrier's horses and waggon, for the king's service. As likewise, that a great number of draught horses prepared by the parliament for the artillery and baggage of the Irish army, and sent to Chester for that purpose, being there, attending a passage, are now required by the king for his present service in England; whose forces are so quartered about the roads to Ireland, that no provision can pass thither by land with any safety.

That captain Kettleby and sir Henry Stradling, the admiral and vice-admiral of the ships appointed to lie upon the coast of Ireland, to annoy the rebels, and to prevent the bringing of ammunition and relief from foreign parts, are both called away from that employment by the king's command; and by reason of their departure from the coast of Munster, to which they were

designed, the rebels there have received powder, ammunition, and other relief from foreign parts.

By which particulars (say they) it may seem that those rebels are countenanced there, upon design to assist the enemies of the parliament here; especially considering that those confident rebels have presumed, very lately, to send a petition to the king, entitling themselves *his majesty's catholic subjects of Ireland*, and complaining of the puritan parliament of England; and desiring, that since his majesty comes not thither, according to their expectation, they may come into England to his majesty.

The parliament therefore, finding what danger both kingdoms are in by the designs of cruel enemies, thought fit to provide for the safety of both, by preparing a competent army for the defence of king and kingdom. But in regard that the plate brought in by so many well-affected men could not be coined so suddenly as the service required, and well knowing that 100,000*l.* might for a short time be borrowed out of the adventurers' money for Ireland, without any prejudice to the affairs of that kingdom, whose subsistence depends upon the welfare of this, and resolving to make a speedy repayment of that money, made this order: which that it may appear (say they) to all the world to be neither mischievous, illegal, nor unjust, (as the king calls it,) the house of commons thought fit to recite it *in hæc verba*; and instead of retracting the order, to repay that money with all possible speed.

The order, July 30.

It is this day ordered by the commons house of parliament, that the treasurers appointed to receive the moneys come in upon the subscriptions for Ireland, do forthwith furnish, by way of loan, unto the committee of lords and commons for the defence of the kingdom, the sum of 100,000*l.*, for the

supply of the public necessity, for defence of the king, parliament, and kingdom, upon the public faith, to be repaid duly and carefully within so short a time, that it shall not be diverted from that purpose for which it was intended, or any way frustrate the acts already made in the behalf of that adventure.

During the time of these paper conflicts, the king in person had often removed, and visited many places. To the gentry of Leicestershire he made a speech on the 20th of July, after his usual manner, with protestations of his great love to the people and care of the kingdom. And from thence removing northward, on the 4th of August he made a speech after the same manner to the gentry of Yorkshire; from whence he returned back to Nottingham, and there set up his standard royal. Very few people resorted to it. Nor had the king at this time a considerable strength to guard his person, if any attempts had been to have seized upon him. From Nottingham, on the 25th of August, the king sent a message to the parliament by the earls of Southampton and Dorset, and sir John Culpepper, one of the members of the house of commons, who had deserted the parliament, and went to the king at York; having not long before been made by him chancellor of the exchequer.

The king's message to both houses of parliament from Nottingham, Aug. 25, 1642.

We have with unspeakable grief of heart long beheld the distractions of this our kingdom. Our soul is full of anguish, until we may find some remedy to prevent the miseries which are ready to overwhelm this whole nation by a civil war. And though all our endeavours tending to the composing of those unhappy differences betwixt us and our two houses of parliament, (though pursued by us with all zeal and sincerity,) have been hitherto without that success we hoped for; yet such is our constant and earnest care to preserve the public peace,

that we shall not be discouraged from using any expedient, which by the blessing of the God of mercy may lay a firm foundation of peace and happiness to all our good subjects. To this end observing that many mistakes have arisen by the messages, petitions, and answers betwixt us and our two houses of parliament; which happily may be prevented by some other way of treaty, wherein the matters in difference may be more clearly understood and more freely transacted; we thought fit to propound to you, that some fit persons may be by you enabled to treat with the like number to be authorized by us, in such a manner, and with such freedom of debate, as may best tend to that happy conclusion which all good men desire—the peace of the kingdom. Wherein, as we promise in the word of a king all safety and encouragement to such as shall be sent unto us, if you shall choose the place where we are for the treaty, which we wholly leave to you, presuming the like care of the safety of those we shall employ, if you shall name another place; so we assure you and all our good subjects, that (to the best of our understanding) nothing shall be therein wanting on our part which may advance the true protestant religion, oppose popery and superstition, secure the law of the land, (upon which is built as well our just prerogative as the propriety and liberty of the subject,) confirm all just power and privileges of parliament, and render us and our people truly happy, by a true understanding betwixt us and our two houses of parliament. Bring with you as firm resolutions to do your duty, and let all our people join with us in our prayers to Almighty God for his blessing upon this work.

If this proposition shall be rejected by you, we have done our duty so amply, that God will absolve us from the guilt of any of that blood which must be spilt. And what opinion soever other men may have of our power, we assure you, nothing but our Christian and pious care to prevent the effusion of blood hath begot this motion; our provision of men, arms, and money being such as may secure us from further violence, till it please God to open the eyes of our people.

*The answer of the lords and commons to the king's message of
the 25th of August, 1642.*

MAY IT PLEASE YOUR MAJESTY :

The lords and commons in parliament assembled having received your majesty's message of the 25th of August, do with much grief resent the dangerous and distracted state of this kingdom, which we have by all means endeavoured to prevent, both by our several advices and petitions to your majesty, which have been not only without success, but there hath followed that, which no evil counsel in former times hath produced, or any age hath seen, those several proclamations and declarations against both the houses of parliament, whereby their actions are declared treasonable and their persons traitors ; and thereupon your majesty hath set up your standard against them, whereby you have put the two houses of parliament, and in them this whole kingdom, out of your protection : so that until your majesty shall recall those proclamations and declarations whereby the earl of Essex and both houses of parliament, their adherents and assistants, and all such as have obeyed and executed their commands and directions, according to their duties, are declared traitors, or otherwise delinquents ; and until the standard, set up in pursuance of the said proclamations, be taken down, your majesty hath put us into such a condition, that, whilst we so remain, we cannot, by the fundamental privileges of parliament, the public trust reposed in us, or with the general good and safety of this kingdom, give your majesty any other answer to this message.

Within few days after, the king sent instructions under his privy-signet to his commissioners of array for the several counties of England and Wales ; as, to marquis Hartford, whom the king had made lieutenant-general of all the western counties, as is before expressed ; to the earl of Cumberland, lord lieutenant of Yorkshire ; and the lord Strange, lieutenant for Lancashire and Cheshire : in which instructions he commands them to pursue the earl of Essex, whom he again calls *rebel and traitor*.

Immediately after, the king sent a reply to that answer of the parliament to his last message of the 25th of August ; which being short, that the reader may the more truly inform himself of the nature of this strange division, I shall wholly insert in the very words :

We will not repeat what means we have used to prevent the dangerous and distracted estate of the kingdom, nor how those means have been interpreted, because, being desirous to avoid effusion of blood, we are willing to decline all memory of former bitterness, that might make our offer of a treaty less readily accepted. We never did declare, nor ever intended to declare, both our houses of parliament traitors, or set up our standard against them ; and much less to put them and this kingdom out of our protection : we utterly profess against it before God and the world. And further, to remove all possible scruples which may hinder the treaty so much desired by us, we hereby promise, so that a day be appointed by you for the revoking of your declarations against all persons as traitors or otherwise for assisting us, we shall with all cheerfulness upon the same day recall our proclamations and declarations, and take down our standard. In which treaty we shall be ready to grant any thing that shall be really for the good of our subjects ; conjuring you to consider the bleeding condition of Ireland, and the dangerous condition of England, in as high a degree as by these our offers we have declared ourself to do : and assuring you, that our chief desire in the world is to beget a good understanding and mutual confidence betwixt us and our two houses of parliament.

To the king's most excellent majesty.

The humble answer and petition of the lords and commons assembled in parliament to the king's last message.

MAY IT PLEASE YOUR MAJESTY :

If we the lords and commons in parliament assembled should repeat all the ways we have taken, the endeavours we have used, and the expressions we have made unto your majesty, to prevent those distractions and dangers your majesty speaks

of, we should too much enlarge this reply : therefore, as we humbly, so shall we only, let your majesty know, that we cannot recede from our former answer, for the reasons therein expressed : for that your majesty hath not taken down your standard, recalled your proclamations and declarations whereby you have declared the actions of both houses of parliament to be treasonable, and their persons traitors : and you have published the same since your message the 25th of August, by your late instructions to your commissioners of array. Which standard being taken down, and the declarations, proclamations, and instructions recalled, if your majesty shall then upon this our humble petition, leaving your forces, return unto your parliament, and receive their faithful advice, your majesty shall find such expressions of our fidelities and duties as shall assure you that your safety, honour, and greatness can only be found in the affections of your people and the sincere counsels of your parliament, whose constant and undiscouraged endeavours and consultations have passed through difficulties unheard of, only to secure your kingdoms from the violent mischiefs and dangers now ready to fall upon them ; who deserve better of your majesty, and can never allow themselves (representing likewise your whole kingdom) to be balanced with those persons whose desperate dispositions and counsels prevail still so to interrupt all our endeavours for the relieving of bleeding Ireland, as we may fear our labours and vast expenses will be fruitless to that distressed kingdom. As your presence is thus humbly desired by us, so it is in our hopes that your majesty will in your reason believe, there is no other way than this to make your majesty's self happy and your kingdoms safe.

The parliament immediately after published a declaration, that the arms which they were enforced to take up for the preservation of the kingdom, laws, and liberties could not be laid down, until the king should withdraw his protection from such persons as had been voted delinquents by both houses, and leave them to the justice of parliament.

The king, within few days after, made another reply

to the last answer of the parliament. The substance of it was, that he could neither do nor offer any more than he had already, and that he should think himself clear and innocent from any blood that might be spilt in this quarrel; praying God so to deal with him and his posterity, as he desired to preserve religion, law, and liberty of the subjects, and privilege of parliament. The parliament returned answer, that while the king thinks himself bound in honour to protect such delinquents, in whose preservation the kingdom cannot be safe, nor the rights of parliament at all maintained; but must needs fall into utter contempt, they must needs think he hath not done what he can or ought to do. They tell him it is impossible that any reasonable man should believe him to be so tender of bleeding Ireland, when at the same time divers of the Irish traitors, the known favourers of them, and agents for them, are admitted into his presence with grace and favour, and some of them employed in his service.

BOOK III.

CHAPTER I.

Prince Rupert and prince Maurice arrive in England. The earl of Essex taking leave of the parliament goeth to his command. The king increaseth in strength at Shrewsbury. A skirmish at Worcester. The great battle of Keynton is fought.

ABOUT the beginning of this September prince Rupert, second son to Frederic prince elector palatine of the Rhine, who had long been detained prisoner of war by the emperor, and newly released, arrived in England, to offer his service to the king his uncle in those wars which were now visibly begun in this unhappy kingdom; together with him came his younger brother prince Maurice; an addition rather of gallantry than strength to the king's side, being both young and unexperienced soldiers. Neither indeed, though they were near in birth to the crown of England, were they near enough to add any security to the king, by purchasing the people's hatred to themselves; though that were imagined, and talked of by many, as the cause why they were sent for. Their elder brother, Charles, prince elector, might have served more fitly to play that part: but he, having long remained in the court of England, had lately left the king, not above two months before the arrival of his brothers; the reasons why he went away were partly expressed by himself afterward in a message which he sent out of Holland to the houses of parliament, wherein he professed sorrow for

these distractions, and protested, that whilst he was in the court of England, he had by all means endeavoured to bring the king into a good opinion of his parliament; acknowledging that his own interest and that of the protestant religion in Germany did more depend upon the happiness of the English parliament than upon any thing else, under God. True it is, that this prince left not the king until he saw the rent between him and his parliament too great to close; and having before been exposed by the king to some probability of envy, as when he attended his majesty to the house of commons for surprisal of the five members; and with him afterwards, when some things displeasing to the people had been done; he might in likelihood, being of that opinion that he was of this cause, think it the wisest way to take a fair leave in time of the king.

These two young princes, arrived in England, were soon put into employment and command under the king their uncle, in which they showed themselves very forward and active, as will appear afterward, and if more hot and furious than the tender beginnings of a civil war would seem to require, it may be imputed to the fervour of their youth, and great desire which they had to ingratiate themselves to the king; upon whom, as being no more than soldiers of fortune, their hopes of advancement wholly depended.

Prince Rupert, the elder brother, and most furious of the two, within a fortnight after his arrival, commanded a small party of those forces which the king had at that time gathered together, which were not of so great a body as to be termed an army, with which he marched into divers counties, to roll himself like a snowball into a larger bulk by the accession of forces in every place: through divers parts of Warwickshire, Nottinghamshire, Leicestershire, Worcestershire, and

Cheshire, did this young prince fly with those troops which he had, not inviting the people so much by fair demeanour, (for such was the report to the houses of parliament,) as compelling them by extreme rigour to follow that side which he had taken. Many towns and villages he plundered, which is to say robbed, (for at that time first was the word *plunder* used in England, being born in Germany, when that stately country was so miserably wasted and pillaged by foreign armies,) and committed other outrages upon those who stood affected to the parliament, executing some, and hanging up servants at their masters' doors, for not discovering of their masters. Upon which news, the houses of parliament fell into a serious debate, and agreed that a charge of high treason should be drawn up against him for endeavouring the destruction of this state, which was voted a great breach of the kingdom's laws, and breach of the privilege of that great council, representing the whole state of it.

Let it not seem amiss in this place to insert a passage, happening at the same time, which cannot be omitted by reason of the eminence of that person whom it concerns in the succeeding wars.

Colonel Goring, who was before spoken of to keep the town of Portsmouth against the parliament, being now no longer able to hold it out, was permitted by captain Merrick, not without allowance from the earl of Warwick, to leave the place, and to be conveyed to the Brill in Holland, according to his own desire: this the parliament were contented with, because the captain was necessitated to agree to it, for preservation of that town, and many persons therein well-affected to the parliament; for Goring had threatened to destroy the town with wildfire, if he might not preserve his own life by a peaceable surrender.

Whilst prince Rupert was thus active with a flying party, the king himself was moving with those forces which he had, but in a gentler and calmer way; for the reverence which the people bare to his person made him find less resistance, as winds lose their fury when they meet no opposition; but howsoever, the king desired to go in such a way as to be taken for a father of his country, and a prince injured by the parliament; professions of love, persuasions, and protestations of his affection to the people, were the chief instruments which he used to raise himself a strength, and complaints against the proceedings and actions of the parliament; as when he was marching toward Shrewsbury, where he intended to make his chief rendezvous, being a place convenient to receive and entertain such forces as should come to him out of Wales: which place (as will appear afterward) failed not his expectation, though it were more than the parliament could suspect. As he was marching thither with a small army, he made a speech between Stafford and Wellington, on the 19th of September, and caused his protestation to be then also read in the head of his army; wherein, among other things, he tells them (for their comfort, and hope to prevail) that they should meet no enemies but traitors, most of them Brownists, anabaptists, and atheists, who would destroy both church and commonwealth. And in this protestation, with deep vows, and imprecations upon himself and his posterity, he declares his whole care and intentions to be for the maintenance of the protestant religion, the laws and property of the subject, together with the privilege of parliament; as he was accustomed to do in his former speeches.

But the king, not many days before, had taken a more harsh and coercive way; for, marching through Derbyshire, Leicestershire, and Nottinghamshire, he

commanded the trained bands of those counties to attend and guard his person ; and when they were met, disarmed the greatest part of them, taking as many arms as served for two thousand men, besides good sums of money, which, not without some constraint, he borrowed from them.

But to leave the king's proceedings for a while, it is time to return to the lord-general for the parliament, and the army raised under his conduct ; which at that time, when prince Rupert began to march, was grown to a considerable body, consisting of about fourteen thousand horse and foot ; their general rendezvous was at Northampton, where many of the chief commanders, as the lord Brook, lord Roberts, colonel Hampden, and others, stayed with them, expecting the presence of his excellence, who on the 9th of September taking his leave of the parliament and city of London, bent his journey toward Northampton, and was waited on by the trained bands, and a great number of armed gentlemen from Essex house to the end of the city with great solemnity. But the love and wishes of the people that did attend him were far greater than any outward signification could express : to whom he seemed at that time, though going to a civil war, as much an Englishman, and as true a patriot, as if he had gone against a foreign enemy. Great was the love and honour which the people in general bore to his person, in regard of his own virtue and honourable demeanour ; and much increased by the memory of his noble father, the highest example that ever I yet read of a favourite both to prince and people ; of whom that was most true which Velleius Paterculus speaks with flattery and falsehood of Sejanus, *in quo cum judicio principis certabant studia populi*, " the people's love strived to match the prince's judgment." That cause, wherein the earl of Essex had

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engaged himself, seemed to them religious enough to require their prayers for the success of it : for the parliament, though they raised an army, expressed much humility and reverence to the king's person ; for not many days after the departure of the lord-general, by consent of both houses, a petition to the king was drawn up, to be carried by sir Philip Stapleton, a member of the house of commons, often spoken of before, and at this time a colonel in the lord-general's army. This petition he carried to Northampton to the general, to be by him presented (according to the parliament's desire) to his majesty, in a safe and honourable way : in which petition nothing at all (according to their former declarations) is charged upon the king himself, but only upon his wicked council ; and the former misgovernments briefly mentioned ; and that this wicked council have raised an horrid rebellion and massacre in Ireland ; and ever since, by opposition against the parliament, hindered the relief of that kingdom, and at last drawn his majesty to make a war upon his parliament, leading an army in person, to the destruction of his people, depriving his good subjects of his majesty's protection, and protecting those traitors against the justice and authority of parliament.

We, the lords and commons assembled in parliament, have, (for these are the words of the petition,) for the just and necessary defence of the protestant religion, of your majesty's person, crown, and dignity, of the laws and liberties of the kingdom, and the privileges and power of parliaments, taken up arms, appointed and authorized Robert earl of Essex, to be captain general of all the forces by us raised, to conduct the same against those rebels and traitors, to subdue and bring them to condign punishment : and we do most humbly beseech your majesty to withdraw your royal presence and countenance from these wicked persons ; and if they shall stand out in defence of their rebellious and unlawful attempts,

that your majesty will leave them to be suppressed by that power which we have sent against them ; and that your majesty will not mix your own dangers with theirs, but in peace and safety, without your forces, forthwith return to your parliament, and by their faithful advice compose the present distempers and confusions abounding in both your kingdoms, and provide for the security and honour of yourself and royal posterity, and the prosperous estate of all your subjects. Wherein if your majesty please to yield to our most humble and earnest desires, we do, in the presence of Almighty God, profess, that we will receive your majesty with all honour, yield you all due obedience and subjection, and faithfully endeavour to secure your person and estate from all dangers; and to the uttermost of our power to procure and establish to yourself and to your people all the blessings of a glorious and happy reign.

According to this petition were those directions from the parliament to the lord-general sent at the same time ; wherein the lord-general is required by the houses to use his utmost endeavour, by battle or otherwise, to rescue the king's person, the persons of the prince and duke of York, out of the hands of those desperate persons now about them. Another direction was, that if his majesty upon this humble petition should be pleased to withdraw himself from the persons now about him, and return to the parliament, that then the lord-general should disband, and should serve and defend his majesty with a sufficient strength in his return. Another direction was, that his excellency should proclaim pardon to all those who were at that time seduced against their parliament and country, if within ten days after that proclamation they would return to their duty, doing no hostile act within the time limited: provided that this should not extend to admit any man into either house of parliament, who stands suspended, without giving satisfaction to that house whereof he

was a member ; and excepting all persons impeached for delinquency by either house, and those persons who have been eminent actors in these treasons, and therefore impeached in parliament of high treason ; such as were at that time declared and there named ; the earls of Bristol, Cumberland, Newcastle, and Rivers, secretary Nicholas, master Endymion Porter, master Edward Hyde, the duke of Richmond, the earl of Carnarvon, viscount Newark, and viscount Falkland : these were the persons at that time voted against, and declared traitors, though afterwards others were added to the number of them, and many of these left out, as occasions altered.

Such directions, and others for the advantage of the army and behoof of the countries through which he was to march, were given by the parliament to his excellency, but above all things to restrain carefully all impieties, profaneness, and disorders in his army.

The general arriving at Northampton was there possessed of a great and gallant army, well furnished at all points, consisting of about twenty thousand, with those that within few days were to come thither : an army too great to find resistance at that time from any forces afoot in England ; for the king's side had then small strength : what they had, consisted of horse, who in small parties roved up and down, to make provision, and force contribution in several places. Prince Rupert especially, like a perpetual motion, with those horse which he commanded, was in short time heard of at many places at great distance. The care therefore which his excellency especially took was so to divide his great army as to make the several parts of it useful, both to annoy the straggling troops of the enemy, and protect those counties that stood affected to the parliament, as also to possess himself, either in his own

person or by his lieutenants, of such towns as he thought might be of best import, if this sad war should happen to continue.

From Northampton he marched to Coventry, to make that considerable city a garrison for the parliament, and from thence to Warwick; and having fortified that town, marched away towards Worcester, upon intelligence that the king himself intended to come thither with his forces; for his desire was to find out the king; and the parliament, to whom he imparted his design by letter, approved well of his advance towards Worcester.

The city of Worcester, as well as the whole county, had been in great distractions, by reason, not only of the dissenting affections of the inhabitants, but the frequent invitations from both sides; if we may call that an invitation which is made by armed force. Sir John Byron had first entered Worcester for the king's side, whom master Fiennes, son to the lord Say, had opposed for the parliament; and afterward prince Rupert, with five hundred horse, not far from the city, was encountered by master Fiennes, who commanded another body about that number; the skirmish was but small, and not above twelve men slain, as the report was made at London. But before the lord-general could arrive at Worcester, (who was marching thither from Warwick, as was before expressed,) there happened a fight there, not to be omitted, in regard of the persons that were there slain or wounded, though the number of men in general that fell were small. Prince Rupert was then at Worcester with twelve troops of horse, when about that city divers of the parliament's forces were, though not joined in one body, but dispersed: the prince marched out of the city into a green meadow, and there set his men in battle array, to encounter whom he could first light

upon. Within half a mile of that field were the parliament troops, colonel Sandys with his regiment of horse, captain Hales, and captain Wingate, who made toward the prince; but their passage was very disadvantageous, as being through a narrow lane, where only four of a breast could march: colonel Sandys, whose fault was too much courage, charging with his own regiment through that lane too soon, before the rest of the parliament forces could come up, (for besides the forenamed captains, Hales and Wingate, captain Fiennes and captain Austin were not far off, and marching apace to their assistance,) made notwithstanding some slaughter of the prince's men, and maintained the fight until the mentioned forces approached the place; but then the prince, the two sides growing into some equality of number, fearing, perchance, to be too long engaged in a fight, until the lord-general's army might approach, some of the fore-runners not being far off, retreated back into the city of Worcester, through which he marched away with as much speed as he could, the parliament forces following him through the town, and so over a bridge, about which some of the parliament dragoons were placed, who cut off twenty of the prince's troopers, and took thirty prisoners. There were found dead at the place of their first encounter thirteen men. There were slain of the parliament side of note, colonel Sandys' cornet, who first of all fell, and sergeant-major Douglas; colonel Sandys himself was desperately wounded, of which wounds he died about a month after. It was reported that colonel Wilmot, of whom we have spoken before, and who was afterward an eminent champion on the king's side, was in this conflict run through the body by colonel Sandys.

His excellency immediately after this fight came to

Worcester with his army, where he resolved to quarter a while, as a place convenient to send out parties upon all occasions, and watch the motion of the king's forces. This discourse shall here leave him, and relate the passages of the other armies.

Prince Rupert, having left Worcester, marched with his troops to Ludlow, twenty miles distant thence; and the king with a small body of horse passed into Wales, and having made a speech full of protestations to the inhabitants of Denbigh and Flintshire, and gained some parties there, the next day he marched to Shrewsbury, where he intended to quarter for a time, as a fit rendezvous for those forces expected from Wales, and other near adjacent parts. To Shrewsbury the king caused a mint to be brought, and there coined all the plate which he then had, or was then and soon after presented to him; for many noblemen, gentlemen, and others, about that time, had furnished the king not only with horses and arms, but money and plate, as the citizens of London and other gentlemen had done to the parliament, upon their public faith, as is before expressed. It is a wonderful thing, almost beyond what himself could hope, or the parliament suspect, how much and how suddenly the king grew in strength, in that little time that he quartered at Shrewsbury; the king, within few days after his coming thither, had in public, to the gentry, freeholders, and other inhabitants of that county, made an oration full of persuasive art, and such winning expressions, as fitted the purpose he had in hand, such as might render him to the thoughts of those people an injured prince, and move compassionate affections toward him. Which speech of his, as it was reported and printed in London, I shall here insert :

GENTLEMEN,

It is some benefit to me, from the insolences and misfortunes which have driven me about, that they have brought me to so good a part of my kingdom, and to so faithful a part of my people: I hope neither you nor I shall repent my coming hither; I will do my part that you may not; and of you I was confident before I came. The residence of an army is not usually pleasant to any place; and mine may carry more fear with it, since it may be thought (being robbed and spoiled of all mine own, and such terror used to fright and keep all men from supplying of me) I must only live upon the aid and relief of my people. But be not afraid; I would to God my poor subjects suffered no more by the insolence and violence of that army raised against me (though they have made themselves wanton even with plenty) than you shall do by mine; and yet, I fear, I cannot prevent all disorders: I will do my best: and this I promise you, no man shall be a loser by me, if I can help it.

I have sent hither for a mint; I will melt down all my own plate, and expose all my land to sale or mortgage, that, if it be possible, I may bring the least pressure upon you: in the mean time, I have summoned you hither to do that for me and yourselves, for the maintenance of your religion and the law of the land, (by which you enjoy all that you have,) which other men do against us. Do not suffer so good a cause to be lost for want of supplying me with that which will be taken from you by those who pursue me with this violence. And whilst these ill men sacrifice their money, plate, and utmost industry to destroy the commonwealth, be you no less liberal to preserve it. Assure yourselves, if it please God to bless me with success, I shall remember the assistance that every particular man here gives me to his advantage. However, it will hereafter, (how furiously soever the minds of men are now possessed,) be honour and comfort to you, that, with some charge and trouble to yourselves, you did your part to support your king and preserve the kingdom.

But with such skill had the king managed his affairs, there, and so much had fortune crowned his endeavours,

that before the middle of October, which was about three weeks after his first coming to Shrewsbury with an inconsiderable body of an army, he was grown to a great strength, consisting of about six thousand foot, three thousand brave horse, and almost two thousand dragoons; and purposing about that time to remove from thence, he issued out warrants to the inhabitants of Shrewsbury, and other adjacent towns and villages, to send horses and carts for his removal.

The king marched along within the view of Coventry, but not intending to lose any time there in sitting down before it, unless the town had been freely surrendered to him : but that was denied, though in a very humble message, by the governor of it. Marching on, he came and lay at Southam, when the lord-general Essex was not many miles distant from him. So much was the king now grown in strength, that he was able, at so great a distance, to strike some terror into the city of London itself, and provoke their sedulous endeavour for a defence against his feared approach, though the lord-general Essex with as great an army were then abroad to attend his marches. The parliament itself took the business into their strict care : for both houses conceiving that the city was in imminent danger of the king's forces, ordered, that the trained bands thereof should be speedily raised for a guard ; that such fortifications as could suddenly be made should not be wanting ; that a committee should be appointed to consider of the present setting up courts of guard, and raising works, for planting of ordnance in special places about the city and suburbs. According to which order many hundreds of men fell presently to work, in digging of trenches, and other bulwarks. It was ordered likewise that the trained bands of London, Middlesex, and Surrey should be put into a readiness ; and that the

close committee, by help of the lord mayor, should with all diligence search out and secure the persons of all the ill-affected citizens, or the chief of them, that were suspected to be most able or active to raise a party against the parliament.

Twelve companies of London were by order of parliament sent to Windsor, to possess and secure that castle, and many seamen raised to guard the passages of the river Thames.

The parliament about that time considering how much these civil distractions increased over the whole kingdom, passed a vote, that it was and should be lawful for all counties in England to enter into an association, for mutual defence of each other, of their religion, laws, and liberties. Whereupon, within a short time after, Buckingham, Hartford, and Nottinghamshire began to associate after that manner, raised forces for the parliament, and advanced both plate and money upon their propositions.

The danger that seemed to threaten London at that time, though distant in place, yet in reason was near. For the king's army was judged to be nearer to it than the lord-general's was; and it was probable enough that his desires would rather lead him to attempt the city than to engage against the army; and it was thought and spoken by some, that London was a place where he had many friends, who upon the approach of such an army would appear for him, and to facilitate his achievements would fill the city with intestine tumults and seditions. That London was the only place where the parliament was to be totally suppressed, and his army enriched to the height of their desires. But others were of opinion, that such an attempt, as it was preposterous, would prove frustrate, and that the city could not be gained, unless the army were first sub-

dued. For besides the consideration, that the supposed party for the king in London were not in probability of power enough to accomplish his ends, it might be thought they were not so desperately inclined to him, as to throw themselves and estates into such hazard as must be undergone in the confused rage of a licentious army. The main reason against it was, that the lord-general Essex, with an army as strong as the king's, would follow his march near at hand, and by the help of those forces which the city of London would pour forth upon him utterly ruin his enclosed army. But howsoever the counsels were, it pleased God that it was brought to a battle, to which probably the king might be the more invited by that advantage of the absence of a great part of the parliament's army.

This famous battle, called by some the battle of Edge-hill, by others the battle of Keynton, (that Keynton is a little town in Warwickshire, almost in the midway between Stratford-upon-Avon and Banbury,) was fought on a Sunday, being the 23rd day of October. The king on Saturday the 22nd of October came within six miles of Keynton, and that night at Cropredy and Edgecot lodged his great army, consisting of about fourteen thousand foot and about four thousand horse and dragoons; a far greater number than the lord-general Essex had together at that time, (though his whole army consisted of more,) for that opportunity the king took of the absence of many regiments of the parliament. The lord-general Essex on that Saturday night quartered at Keynton with his army, consisting then but of twelve regiments, and about forty troops of horse, little in all exceeding the number of ten thousand men: the reason why his forces at that time were no more in number, was, besides that by reason of the suddenness of his march, and diligence to follow the

king's army, he had left behind two regiments of his foot, one under the command of colonel Hampden, the other of colonel Grantham, together with eleven troops of horse, behind but one day's march, and left to bring on the artillery, which was seven pieces of cannon, with great store of ammunition, and came not to Keynton till the battle was quite ended; the lord-general also had before left for preservation of the countries thereabout (and whom on such a sudden he could not call together to his assistance) one regiment of foot and two troops of horse, under command of the earl of Stamford at Hereford, that the power of Wales might not fall into Gloucestershire; another regiment was left at Worcester, another at Coventry, for the safety of that town, and one regiment occasionally lodged then in Banbury.

In Keynton the lord-general intended to rest Sunday, to expect the residue of his forces and artillery, but in the morning the enemy was discovered not far off, which made him give present order for drawing that army which he had there into the field. The king's forces had gotten the advantage of a very high and steep ascent, called Edge-hill, from whence they were discovered that morning; not far from the foot of that hill was a broad champaign, called, *The vale of the red horse*, a name suitable to the colour which that day was to bestow upon it, for there happened the greatest part of the encounter. Into that field the lord-general was forced presently to march, making a stand about half a mile distant from the foot of Edge-hill, where he drew his army into battalia, and saw the king's forces descending the hill, ready for their encounter; that army at the first having two advantages, of the hill and of the wind: it was full of skilful commanders, and well ordered;

their greatest body of horse was on the right wing, on the left were some horse and dragooners.

The parliament army was drawn up and put into battalia upon a little rising ground in the forenamed vale, the foot being, many of them, a good space behind the horse, when the charge began. Three regiments of horse were on the right wing; the lord-general's own regiment, commanded by sir Philip Stapleton; sir William Balfore's regiment, who was lieutenant-general of the horse; and the lord Fielding's regiment, which stood behind the other two, in the way of a reserve; sir John Meldrum's brigade had the van; colonel Essex was in the middle; the lord-general's regiment, the lord Brook, and colonel Hollis, were in the rear; in the left wing were about twenty troops of horse, commanded by sir James Ramsey their commissary general. In this posture they stood when the other army advanced toward them, the strength of their horse being (as aforesaid) on their right wing, opposite to the left wing of the parliament army.

The cannon on both sides with a loud thunder began the fight, in which the success was not equal, the parliament's cannon doing great execution upon their enemies, but theirs very little.

The earl of Lindsey, general for the king, with a pike in his hand, led on the main body of that army, in which was the king's own regiment, encountered by the lord-general Essex, who exposed himself to all the danger that a battle could make, first leading on his troop, then his own regiment of foot, and breathing courage into them, till, being dissuaded by divers from engaging himself too far, he returned to the rest of the army, to draw them on. The chief regiments having begun the battle, sir Philip Stapleton, with a brave troop of gentlemen, (which were the general's lifeguard, and com-

manded by him,) charged the king's regiment on their right flank within their pikes, and came off without any great hurt, though those pikemen stoutly defended themselves, and the musketeers, being good firemen, played fiercely upon them. The battle was hot at that place, and so many of the king's side slain, that the parliament army began to be victorious there; they took the standard royal, the bearer thereof, sir Edmund Varney, being slain, and the general, the earl of Lindsey, sore wounded, was taken prisoner. But the same fortune was not in every part; for the king's right wing, led by prince Rupert, charged fiercely upon the left wing of the other, (consisting most of horse,) and prevailed altogether, for the parliament troops ran almost all away in that wing, and many of their foot companies, dismayed with their flight, fled all away before they had stood one charge; colonel Essex, being utterly forsaken by that whole brigade which he commanded, went himself into the van, where he performed excellent service, both by direction and execution, till at the last he was shot in the thigh, of which he shortly after died; (some part of their disheartening was caused by the revolt of their own side; for sir Faithful Fortescue, at the beginning of the fight, instead of charging the enemy, discharged his pistol to the ground, and with his troop, wheeling about, ran to the king's army, to whom he had formerly given notice thereof by his cornet.) The parliament army had undoubtedly been ruined that day, and an absolute victory gained on the king's side, if prince Rupert and his pursuing troops had been more temperate in plundering so untimely as they did, and had wheeled about to assist their distressed friends in other parts of the army; for prince Rupert followed the chase to Keynton town, where the carriages of the army were, which they presently

pillaged, using great cruelty, as was afterward related, to the unarmed waggoners and labouring men. A great number of the flying parliament soldiers were slain in that chase, which lasted two miles beyond Keynton; and so far, till the pursuers were forced to retire, having met with colonel Hampden, who marched with the other brigade of the army, that brought on the artillery and ammunition, before spoken of. Colonel Hampden discharged five pieces of cannon against them; some were slain, and the rest ceasing the pursuit retired hastily to the field, where they found all their infantry, excepting two regiments, quite defeated; for in the mean time, sir William Balfore, lieutenant-general of the horse, with a regiment of horse, charged a regiment of the king's foot before any foot of his own side could come up to him, and, breaking most bravely into it, had cut most of them off; and afterward, by the assistance of some foot who were come up to him, he defeated another regiment, and so got up to the greatest part of the king's ordnance, taking some of them, cutting off the gears of the horses that drew them, and killing the gunners, but was enforced to leave them without any guard, by reason that he laboured most to make good the day against several regiments of the king's foot, who still fought with much resolution, especially that which was of the king's guard, where his standard was; by which sir William Balfore's regiment rode, when they came back from taking the ordnance, and were by them mistaken for their own side. [Their] passing without any hostility was the cause, that immediately afterward, sir William riding up toward the lord-general Essex's regiment of horse, they gave fire upon sir William Balfore's men, supposing them to be enemies, but soon discovering each other, they joined companies, and were led up with half the lord-general's regiment, by his ex-

cellency himself, against the king's main strength, where a terrible and bloody encounter happened; at the same time colonel Ballard, who led a brigade there of the lord-general's regiment and the lord Brook's, forced a stand of the king's pikes, and broke through two of his regiments.

In this great conflict the standard royal (as aforesaid) was taken, and sir Edmund Varney slain, the earl of Lindsey, with his son, taken prisoners, together with colonel Vavasor, lieutenant-colonel of that regiment; colonel Munroe also was there slain.

The standard thus taken, and put into the lord-general's hand, was by him delivered to his secretary, master Chambers; but the secretary, after he had carried it some time in his hand, suffered it to be taken from him by an unknown person, and so privately it was conveyed away. There also was great service performed by the lord Gray, son to the earl of Stamford, and sir Arthur Haslerig, and a considerable help given to the turning of the day, by defeating a regiment of the king's called *the blue regiment*.

By this time all the king's foot, excepting two regiments, were dispersed, and the parliamentarians had gotten the advantage of the wind, and that ground which their enemies had fought upon. Those two regiments of the king's, retiring themselves, and finding their ordnance behind them without any guard, took stand there, and made use of their cannon, discharging many shot against their enemies. But at that time the parliament foot began to want powder, otherwise (as was observed by a commander in that army) they had charged them both with horse and foot; which in all probability would have utterly ruined the king's infantry, consisting in a manner but of two regiments.

Thus the parliament army, partly for want of ammunition, and partly being tired with so long a fight, (for the whole brunt of the battle had been sustained by two regiments of their horse and four or five of their foot,) made no great haste to charge any more.

The king's horse, who had been long pillaging about Keynton, by this time had leisure to come about on both hands, and join themselves to their foot; but as they came back on the left hand of their enemies, sir Philip Stapleton with his horse gave them a terrible charge, which they were not long able to endure, but, finding a gap in an hedge, got from him upon the spur as fast as they could, to the rest of their broken troops, and so at last joined with their foot that stood by the ordnance. And now on both sides the horse were gathered to their own foot, and so stood together both horse and foot, one against another, till it was night.

The parliament army being wholly possessed of the ground which their enemies had chosen to fight upon, stood upon it all night, and in the morning returned to a warmer place near Keynton, where they had quartered the night before; for they were much pinched with cold, and the whole army in extreme want of victuals.

The king's army had withdrawn to the top of the hill for their more security, where they made great fires all the night long.

About nine of the clock the next morning the parliament army drew out again into battalia, and so stood about three hours, until the other army was quite gone from the hill, and then they withdrew themselves into their quarter towards Keynton, and to their other brigade, artillery, and ammunition, which being commanded by colonel Hampden and colonel

Grantham, (as aforesaid,) was now come to Keynton, and lodged there. The king had drawn out his horse upon the further side of the hill, where he stayed till toward night, whilst his foot were retiring behind the hill, and marching away. A little before night, his horse also withdrew themselves; and about an hour after, the parliament horse marched quite away, and went with the rest of the army to Warwick to refresh themselves.

That going to Warwick was thought by a noble gentleman of the parliament side to be ill designed, for, saith he, had the army, instead of going to Warwick, marched toward Banbury, we should have found more victuals, and had, in probability, dispersed all the foot of the king's army, taken his cannons and carriages, and sent his horse further off; whereas now, because we did not follow them, though they quitted the field whereon they fought, and left their quarter before us, yet they began soon after to question who had the day. Howsoever it were, true it is, that the king, no less than the parliament, pretended to be victorious in that battle; and so far ascribed the victory to his own side, that a prayer of thanksgiving to God was made at Oxford for it. A thanksgiving was also on the parliament side for the victory of that day. And it is certain, that there were many marks of victory on both armies, colours and cannon were taken on both sides, without any great difference of the number of them. And though in speeches made afterwards by either party, and books printed, there is no consent at all concerning the number of men slain, but so great a discrepancy as it is almost a shame to insert into an history, yet surely, by the best account, there were more slain on the king's side than on the other. Those of quality that were lost on both parties were, of the king's, the earl of Lindsey,

lord-general of his army, the lord Aubigny, brother to the duke of Lenox, sir Edward Varney, standard-bearer, colonel sir Edmund Monroy, a Scottish gentleman, and colonel Lunsford his brother, with other gentlemen and commanders, besides common soldiers, whose number (as is before said) would not be agreed upon ; yet I have heard, that the country people thereabouts, by burying of the naked bodies, found the number to be about six thousand that fell on both sides, besides those which died afterwards of their wounds. There were taken prisoners, of the king's side, the lord Willoughby, son and heir to the earl of Lindsey, colonel Vavasor, colonel Lunsford, sir Edward Stradling, with others of less note ; a George, the badge of a knight of the garter, was found in the field by a common soldier, (besides that which the lord-general Lindsey wore, and had about his neck when he was slain,) and bought of him by a captain, which was sent up to the parliament, there viewed, and restored again to the captain.

On the parliament side were slain only these of mark and quality, the lord St. John, eldest son to the earl of Bolingbroke, colonel Charles Essex, and lieutenant-colonel Ramsey, and none of any great note taken prisoners.

The battle was fought with great courage on both sides, both by the generals and other commanders, besides some particular regiments of soldiers, who were observed to perform their parts with great courage and bravery, such as colonel Hollis's regiment of red-coats, and others, too many to be all named in a short discourse.

It could not but fall into the observation of many men, that the year before, upon the same day of the month, namely, the 23rd of October, that this famous

battle of Keynton was fought, the bloody rebellion of the Irish broke out, with that inhuman massacre of the English protestants in that kingdom, where the English, by their own loss and bleeding, were sadly put in mind that they had too long deferred the revenge of their butchered brethren in Ireland.

It was likewise observed by many men of the parliament side, (who seemed to make no question but that the victory was on their side, as a further blessing of God to the protestant cause,) that on the very same day that this battle was won in England, the Swedes obtained a very great and notable victory against the imperialists and those of the Roman religion in Germany.

But the king, supposing himself victorious at Keynton-field, immediately published a declaration to all his loving subjects, (for so it is styled,) after his victory against the rebels. Wherein, though the expostulation be very bitter, yet he endeavoureth that it should not seem to be made against the parliament itself, but against some of them, whom he termeth *malignant*, *malicious*, with such like epithets, as have laboured to lay aspersions upon him of things whereof he professeth himself altogether innocent. Those aspersions he makes of two sorts: the first is, concerning his favouring of popery, and employing papists in his army; the second, of raising that army against the parliament. Both which he labours to wipe off, with a recrimination against the parliament. For the first, after a great protestation of the truth of his religion, and his past, present, and future care for the better establishing of it in his dominions, with the extirpation of popery; though he cannot but acknowledge, that some eminent men of that religion are armed in his service, which he thinks excusable in so great a necessity and danger as

he was in; yet he tells the parliament, that in their army there are more papists, commanders and others, than in his.

For the second, that he levied his army against the parliament. He seemeth to hope that none of his good subjects will believe it, unless they will believe that a dozen or twenty factious and seditious persons be the high court of parliament, which consists of king, lords, and commons. For the privileges of parliament, he avers, that whosoever will not believe the raising of an army, to kill their king, to alter the government and laws by extravagant votes of either or both houses, to force the members to submit to their faction and take away freedom of consultation from them, to be the privilege of parliament, must confess, that the army now raised by the king is no less for the vindication and preservation of parliaments than for his own necessary defence.

The king chargeth them likewise with uncharity, that they have endeavoured to raise an implacable hatred between the gentry and commonalty of the kingdom, by rendering all persons of honour odious to the common people under the style of cavaliers; and to persuade the people, that there was an intention by the commission of array to take away a part of their estates from them. Which he denies, and concludes with protestations to the contrary.

The parliament returned answer to this declaration, but not as being the king's, (according to their oft mentioned custom,) but coming from wicked and malicious contrivers of falsehood and scandals, who, say they, to our unspeakable sorrows, have gained so much power with his majesty, as to vent the same under the title of his own royal name.

For the first objection; they do not affirm that the

king favours popery himself, but justify that things have been carried in the favour of it by some about him, according to the particular instances in many of their former declarations. They seem to be amazed at the strange boldness of the contrivers of that declaration, in averring that there are more papists in their army than in the king's, whereas they cannot, or at least do not, name any one, which they desire may be done, if there be any such, that the parliament may know how to displace them. But the parliament in their answer name many of greatest rank and quality of that religion in the king's army, who have raised him in some counties the most considerable forces which he hath, and many commissions granted by himself to papists, acknowledged so. That it were senseless to think that any papists favoured the parliament's cause at all ; whereas it is certain, that there are none of that religion, but are either openly or secretly assistant to that cause which the king hath taken.

For the second objection ; that the king's forces are not levied against the parliament itself, but a few seditious persons. They think it an impossible thing, that twelve or twenty such persons (as they are termed) should have power to compel the rest of that body to submit to their faction, and to have their freedom of consultation taken from them.

"The truth is," say they, "not a few persons, but the parliament itself, is the thorn that lies in these men's sides ; which heretofore, when it was wont to prick them, was with much ease, by a sudden dissolution, pulled out : 'but now that it is more deeply fastened by an act of continuance, they would force it out by the power of an army."

"That whosoever will read the speeches and declarations made upon the breaking up of all former parlia-

ments, ever since the beginning of this king's reign, will find the pretences of those unjust dissolutions to be grounded upon exceptions against particular members, under the name of a few factious and seditious persons; so that the aspersing and wounding of the parliament through the sides of a few members is no new invention."

But, say they, those former declarations in the king's name being groundless invectives, not against particular members, but against the votes and proceedings of both houses; and declaring the earl of Essex, general of the forces raised by them, to be a traitor; and that all those which assist him, thereby comprehending both houses of parliament, by whose command and authority he bears that place, [are] rebels, and guilty of high treason, is argument sufficient (no groundless accusation) to prove the king's army to be raised against the parliament, or to take away the privileges thereof.

Those privileges of parliament, consisting in three things; 1. as they are a council to advise; 2. a court to judge; 3. a representative body of the realm, to make, repeal, or alter laws; these privileges have, say they, during the sitting of this parliament, been all apparently broken, to the view of all men, by the king's wicked council. Their advice scarce at all hearkened unto by the king, but other counsels of unknown persons preferred before them. For the second, as a court to judge; the delinquents, so pronounced by the parliament, have been protected by the king against them; of which they give many particular instances. Touching the third, for making laws; they instance his refusal of many wholesome bills for church and state; besides the breaking of their privileges, they produce some attempts utterly to subvert them; as, the forementioned endeavour of bringing up

the northern army, to force conditions upon the parliament; the king's letters and commands to members of both houses to attend him at York, leaving their true and legal station; which when they obeyed, it was scandalously alleged that they were driven away.

For any violence intended to the king's person, as they utterly deny it, so they refer it to indifferent men to judge, by all their long sufferings, and humble petitions to him to avoid those endangerings of his person. But for that imputation laid upon them, of an endeavour to raise an implacable malice and hatred between the gentry and commonalty of the kingdom; they conceive it a charge of a strange nature, that they should endeavour to raise the hatred of the commonalty against themselves. "For so it must follow, unless the contrivers of that declaration will deny the parliament to be gentlemen. But though we know," say they, "well there are too many of the gentry of this kingdom, who, to satisfy the lusts of their own ambition, are content to sell their birthright, to render themselves and their posterity to perpetual slavery, and to submit themselves to any arbitrary and unlimited power of government, so they may for their own time partake of that power, to trample and insult over others; yet we are certain that there are many truehearted gentlemen, who are ready to lay down their lives and fortunes (and of late have given ample testimony thereof) for maintenance of their laws, liberties, and religion, with whom, and others of their resolution, we shall be ready to live and die."

Lastly, they prove, by particular instances, that in the king's commission of array there is not only an intention to take away part of men's estates, but that it hath been put into real execution; with many other things in justification of all their proceedings and declarations;

which may be read more at large in the records. This was the effect of that verbal skirmish which immediately followed the great and bloody battle of Keynton.

CHAPTER II.

The parliament send to the king concerning an accommodation.

A fight at Brentford. Another treaty with the king begun and broken off. Reading besieged by the lord-general Essex, and surrendered to him. A conspiracy to betray Bristol. A treacherous plot against the parliament and city of London discovered and prevented.

AT the famous battle of Edge-hill the great cause of English liberty (with a vast expense of blood and treasure) was tried, but not decided, which did therefore prove unhappy, even to that side which seemed victorious, the parliament army.

For though the king's forces were much broken by it, yet his strength grew accidentally greater and more formidable than before; to whom it proved a kind of victory not to be easily or totally overthrown.

For the greatest gentlemen of divers counties began then to consider of the king as one that in possibility might prove a conqueror against the parliament; and many of them, who before as neuters had stood at gaze, in hope that one quick blow might clear the doubt, and save them the danger of declaring themselves, came now in, and readily adhered to that side where there seemed to be least fears and greatest hopes, which was the king's party; for on the parliament side the encouragements were only public, and nothing promised but the free enjoyment of their native liberty; no particular honours, preferments, or estates of enemies; and on the other side, no such total ruin could be threatened from a victorious parliament, being a body, as it were, of themselves, as from an incensed prince,

and such hungry followers as usually go along with princes in those ways. And how much private interest will oversway public notions, books of history, rather than philosophy, will truly inform you ; for, concerning human actions and dispositions, there is nothing under the sun which is absolutely new. Look upon the discourse of one historian in that subject, Dion Cassius, a writer of as little bias, in the opinion of all critics, as any among the ancients, when he relates the last war about Roman liberty, after which (as himself speaks) that people never again looked back toward it. Which was the war of Brutus and Cassius against Cæsar and Antony ; *Et si ante hanc pugnam civilibus bellis, &c.* Although, saith Dion, before this war they had many civil wars, yet in others they fought who should oppress the Roman liberty ; in this war, one side fought to vindicate liberty, the other, to bring in tyranny, yet the side of tyranny prevailed, and drew most to it. Of what quality they were, the same historian speaks also : the armies of Brutus and Cassius, that stood for liberty, consisted of the lower sort of people, and *ex subditis Romanorum* ; the other, that stood for tyranny, consisted, saith he, *ex Romanis nobilibus et fortibus*. Brutus and Cassius, two chief soldiers, before the battle, making orations, encouraged them to fight for their ancient freedom and Roman laws. Cæsar and Antony promised to their soldiers the estates of their enemies, *et imperium in omnes gentiles suos*, and power to rule over their own countrymen ; which proved, it seems, better oratory than the other, and more persuasive. Brutus and Cassius delayed the battle, as loath to waste so much blood, if by any other stratagem they might have subdued ; because they were, saith Dion, good men, and pitied their countrymen, loving the safety, and striving for the liberty even of those men who fought

against them, to overthrow that liberty ; yet that delay proved ill, and many noblemen in that time forsook them, and turned to the other side, whither their private hopes or fears led them. Whether the parallel will in some measure fit this occasion or not, I leave it to the reader, and return to the narration.

The earl of Essex, the next day after Keynton battle, marched with his army toward Warwick, to which town he arrived safe, disposing of the prisoners, waggons, and ordnance, which he had taken, into that castle, with resolution, after some short refreshment of his men there, to march nearer to the king ; but the king returned toward Oxford, seizing by the way upon Banbury, from whence he took fifteen hundred arms, and turned out the parliament soldiers that were quartered there.

His army, consisting especially of horse, was divided into several bodies, and prince Rupert with part of it visited the towns near adjacent, as Abingdon, Henley, and other places ; from whence he returned with great booty.

Within few days he made a nearer approach toward London, but with a flying army, resting in no place, sometimes as far as Staines and Egham, which made the city of London careful to provide for their safety against sudden incursions, and send forces to possess and fortify Windsor castle.

In the mean time, to secure London, and free those parts from greater fears, the earl of Essex had marched with his army nearer to that city, and on the 7th day of November came himself to Westminster, (his army being billeted about Acton and other near places,) and was welcomed by both houses of parliament, who presented him with a gift of 5000*l.* as an acknowledgment of their thanks, in behalf of the king-

dom, for his care, pains, and valour, in the actions already past.

But before the earl of Essex departed from London, another bloody tragedy was acted, and the scene no further than Brentford, about eight miles distance, the king himself being there, or not far off, in person. The manner and occasion of it shall be in brief related.

The parliament expressing great grief for this unnatural war and bloodshed, that this endangered kingdom might be saved from ruin, and the better means made to recover Ireland, had agreed upon a petition for accommodation, to be presented to the king, then at Colebrook, by the earls of Northumberland and Pembroke, with four commons, the lord Wainman, master Pierpoint, sir John Evelin, and sir John Ipsley; sir Peter Killigrew was sent before to procure a safe-conduct. But the king refused to admit of sir John Evelin, because he was one whom himself had named a traitor the day before. Which exception of the king's was extremely distasted by the parliament; yet so great was their desire of accommodation, that although this excepting of sir John Evelin were voted by them a breach of privilege, and a flat denial from the king, the petition was sent by the five forenamed lords and gentlemen, sir John Evelin being very willing to be left out.

The king being then at Colebrook, fifteen miles distant, seemed to receive the petition with great willingness, and returned them a fair answer, calling God to witness in many protestations that he was tenderly compassionate of his bleeding people, and more desirous of nothing than a speedy peace; to which purpose he was most willing, at any place where he should reside, not far from London, to receive such proposi-

tions of peace as they should send, and to treat with them.

As soon as the parliament. lords returned with this answer, the king's artillery (according to all relations) advanced forwards with divers troops of horse, through that town of Colebrook, after them towards London ; and taking advantage of a great mist which happened that Friday night, they marched to Brentford, and fell upon the parliament forces which were there quartered, which were a broken regiment of colonel Hollis's, but stout men, who had before done great service. Of them the king's forces killed many, and had quite destroyed all in probability, if the lord Brook's and colonel Hampden's regiment, billeted not far off, had not made haste to their relief, who coming in, maintained a great and bloody fight against the king's forces, where many were slain on both sides, and many taken prisoners ; both parties, as before it happened at Keynton battle, esteeming themselves conquerors, and so reporting afterwards. The news of this unexpected fight was soon brought to London, whither also the noise of the great artillery was easily heard.

The lord-general Essex, then sitting at Westminster, in the house of peers, took horse immediately, and with what strength he could call together on such a sudden came in to the rescue of his engaged regiments ; but night had parted them, and the king was retired to his best advantages. All that night the city of London poured out men toward Brentford, who every hour marched thither, and all the lords and gentlemen that belonged to the army were there ready on the Sunday morning, being the 14th of November, a force great enough to have swallowed up a far greater army than the king had. Besides, the king's forces were encom-

passed on every side; insomuch as great hope was conceived by most men that the period of this sad war was now come. But God was not yet appeased toward this nation; a fatal door was opened to let out the enclosed X king: three thousand of the parliament soldiers were then at Kingston-upon-Thames, a town about ten miles distant from the city; which soldiers were all (as it happened) commanded to leave that town, and march through Surrey with what speed they could, and over London bridge, so through the city toward Brentford, to prevent the enemy's passage to London. The reason of that command was afterward given, for that the lord-general was not assured of strength enough to stop the enemy from London, nor could beforehand be assured of so great an army as came thither before morning. But this was the event of it; and through Kingston, thus abandoned, the king retreated; and leaving some troops to face his enemies, brought all his foot and artillery over that bridge, which drawing up afterward, he had time enough securely to plunder many places of that country, and retire safely to Oxford, where he intended to take up his winter quarters.

The parliament, upon this action of the king, began X to be out of hope of doing any good by treaties, resolving that the lord-general, with all speed that might be, should pursue the king's forces, and fall upon them about Oxford and Reading, for news was daily brought them how active his parties were, under the conduct of prince Rupert and others, in plundering all the places thereabouts. And the city of London, to encourage the parliament with a free tender of their service, framed a petition to them, to entreat them, that they would proceed no further in the business of accommodation, because evil counsel was so prevalent with the J king, that he would but delude them; that they had

heard his forces are weak, and that if his excellency would follow and fall upon them, and that no delays be made for fear of foreign forces coming over, the city, as heretofore, would with all willingness spend their lives and fortunes to assist the parliament.

The city was thanked for their petition and protestation, and the lord-general moved by the parliament to advance, who, though the season of the year were not very fit for so great a body to march, was very desirous to obey their commands. The best way was thought to divide his army, and send several parties to several places, to restrain the enemies from annoying the countries, as, to Buckingham, Marlow, Reading, and other parts, until himself with his whole force could be well accommodated to march from Windsor (where he lay that winter) toward the king. But it so fell out, either by reason of ill weather at some times, and at other for want of money or fit accommodation, that the general himself, with his main army, marched not forth until the spring, whose first business was to lay siege to Reading, which was fortified by the king's forces, and maintained by a garrison of three thousand soldiers and twenty pieces of ordnance; before which town he sat down upon the 25th of April 1643, with an army of about sixteen thousand foot and three thousand horse.

Now (leaving the lord-general before Reading with his army) in the mean time we will show one main reason why he did no sooner advance; the expectation of another treaty, which the parliament had desired to have with the king, for settling of the kingdom's peace, which proved fruitless, in debate lasted a long time. Propositions were drawn up by the parliament, and sent to Oxford on the 31st of January 1642, by four lords and eight commoners, the earls of Northumber-

land, Pembroke, Sarum, and Holland, lord Wainman, lord Dungarvan, sir John Holland, sir William Litton, master Pierpoint, master Waller, master Whitelock, master Winhood : the propositions were,

1. That the king would pass those bills which the houses had made ready.

2. To pass a bill for settling parliament privileges and liberties.

3. For bringing to trial those delinquents whom the houses had impeached since January last.

4. For clearing the six members before mentioned.

5. For restoring all judges and officers of state lately removed.

6. To pass a bill for repaying the charge of the kingdom.

7. A bill for an act of oblivion.

8. An act for a general pardon without exception.

9. That there may be a cessation of arms for fourteen days, to agree upon these propositions.

The king, not liking nor yet utterly refusing these propositions, sent the commissioners home to their parliament, within a week after they came, to carry six propositions from him to the houses ; which were,

1. That his revenue, magazines, towns, forts, and ships, may be delivered to him.

2. That all orders and ordinances of parliament wanting his assent may be recalled.

3. That all power exercised over his subjects by assessments and imprisoning their persons may be disclaimed.

4. That he will yield to the execution of the laws against papists, provided that the Book of Common Prayer be confirmed.

5. That such persons as upon the treaty shall be excepted out of the general pardon shall be tried by their peers only.

6. That there be a cessation of arms during the treaty.

The houses, upon receiving of these propositions, though at first it were the opinion of many not to send

any answer at all to them ; yet at last, to show respect to the king, entered into a further debate about treating with him concerning the propositions on both sides, and concerning the cessation of arms, or disbanding ; with such limitations and restrictions touching the order of treating as would perchance seem too tedious to be here related ; and on the 20th of March the earl of Northumberland, sir John Holland, sir William Armine, master Pierpoint, and master Whitelock, (the lord Say should have been one, but the king excepted against him, as formerly against sir John Evelin, upon the same ground, which though the parliament took ill at the first, yet they proceeded in the business,) were sent to Oxford as treaters upon those propositions. In vain was this treaty ; so high the demands were judged to be on both sides, that there seemed no possibility of ever meeting ; where the fault lay I judge not ; but the parliament, after many messages between London and Oxford, at last sent for their commissioners home again, who returned to London upon the 17th of April ; upon which the lord-general immediately advanced with his army (as aforesaid) to besiege Reading.

Reading was not able to hold out long, but the lord-general was loath to storm it for fear of destroying so many innocent people as remained in the town ; which compassion of his was well approved of by the parliament ; therefore upon composition it was rendered within sixteen days to his excellency by the deputy governor, colonel Fielding, for the governor, sir Arthur Aston, was before wounded by an accident, and could not perform the office : the terms were easy, for they all marched out with bag and baggage. This siege had not at all advantaged the parliament, if another business had not fallen out during that short siege ; which may also be thought a reason why the town was so

soon rendered. A good body of the king's forces, both horse and foot, (the king himself in person not far from them,) came to relieve Reading, assaulting one quarter of the parliament army at Causum bridge, within a mile of the town, and were beaten back with great slaughter, which fell especially upon gentlemen of quality, of whom the king at that encounter lost a considerable number; but how many they were, or their particular names, I find not mentioned.

The gaining of Reading might seem an addition of strength to the parliament side; it proved otherwise; nothing was gotten but a bare town, which had been happier, had it been only so: the town was infected, and caused afterwards a great mortality in the parliament army. The soldiers besides were discontented, that, being already much behind in pay, they were not suffered to plunder, or make any benefit of their victory. For the parliament, before Reading was delivered up, had approved of the conditions, and promised to the lord-general's soldiers, to forbear plundering, twelve shillings a man, besides their pay. But neither of these were then performed; money began already to be wanting, and the great magazine of treasure in Guildhall quite consumed. While they stayed there, expecting money, the sickness and mortality daily increased, and the lord-general, by advice of his council of war, intended to march thence for better air. But such a general mutiny was raised for want of money, that his excellency, though with much courage and just severity he began to suppress it, was advised by his council of war to desist, for fear of a general defection, till money might come from the city. Notwithstanding, upon this discontent in the army, whilst his excellency removed to Causum house, to avoid the infection, many of the soldiers disbanded, and went away. Then began a tide

of misfortune to flow in upon the parliament side ; and their strength almost in every place to decrease at one time ; for during the time of these six months, since the battle of Keynton, until this present distress of the lord-general's army about Causum, which was about the beginning of May, the war had gone on with great fury and heat, almost through every part of England ; the particulars of which shall hereafter be related by themselves, to avoid confusion in the story: the lord-general had at that time intelligence that sir Ralph Hopton had given a great defeat to the parliament forces of Devonshire ; and that prince Maurice and marquis Hartford were designed that way, to possess themselves wholly of the west.

Leaving therefore the lord-general a while, I shall proceed to speak of some things which happened at other places in that month of May. The king's armies were then in fair possibility of gaining the whole west ; and seemed of strength enough to achieve it by open war, without the assistance of secret treacheries and conspiracies ; which notwithstanding were then in agitation, though they proved not successful against the parliament, but destructive to the contrivers. As at Bristol, a place of great import, and much desired by the king's forces, when the plot of betraying that city to prince Rupert was set on foot ; which I here relate, as falling out about the beginning of May 1648.

The city of Bristol was then in the parliament's protection, and governed by colonel Nathaniel Fiennes, second son to the viscount Say and Seal, though many of the inhabitants there, as appeared by this design, were disaffected to the parliament's side.

This design was very bloody, and many of that city had perished in it, had not the conspirators been disco-

vered and apprehended a little before they were to put it in execution.

Robert Yeomans, late sheriff of Bristol, William Yeomans his brother, George Bouchier, and Edward Dacres, were the chief managers of this design; who, with many others of that opinion, had secretly provided themselves of arms, intending to kill the sentinels by night, and possess the main guard, (with other particulars, to be found in the records of their examinations, and proofs against them,) whereby to master the greatest part of the other side within the town, to kill the mayor, and many others that were known to stand affected to the parliament; and by that means to betray the city to the king's forces. In expectation of which act, prince Rupert with other commanders, and about four thousand horse, and two thousand foot, stayed upon Durdam Downs, about two miles from the city. But the plot was discovered, the conspirators apprehended, and brought to trial by a council of war, where the four forenamed were condemned, and two of them hanged at Bristol, namely, Robert Yeomans and George Bouchier; although great means had been made to save them, and colonel Fiennes to that purpose had been threatened from Oxford, by general Riven, (created by the king earl of Forth,) in a letter unto him; which being of great consequence, for the clear understanding of this war, and the nature of it, I thought fit to insert here, together with the answer thereunto.

Patrick earl of Forth, lord Etterick, and lord lieutenant of all his majesty's forces.

I having been informed, that lately at a council of war you have condemned to death Robert Yeomans, late sheriff of Bristol, who hath his majesty's commission for raising a regiment for his service, William Yeomans his brother, George

Bourchier, and Edward Dacres, all for expressing their loyalty to his majesty, and endeavouring his service, according to their allegiance; and that you intend to proceed speedily against divers others in the like manner; do therefore signify to you, that I intend speedily to put master George, master Stevens, captain Huntley, and others, taken in rebellion against his majesty at Cicester, into the same condition. I do further advise you, that if you offer by that unjust judgment to execute any of them you have so condemned, that those here in custody, master George, master Stevens, and captain Huntley, must expect no favour or mercy.

Given under my hand at Oxford, this 16th of May, 1643.

To the commander-in-chief of the
council of war in Bristol.

FORTH.

The answer to this letter was as followeth:

*Nathaniel Fiennes governor, and the council of war in the
city of Bristol.*

Having received a writing from your lordship, wherein it is declared, that upon information of our late proceedings against Robert Yeomans, William Yeomans, and others, you intend speedily to put master George, master Stevens, captain Huntley, and others into the same condition; we are well assured, that neither your lordship nor any other mortal man can put them into the same condition; for whether they live or die, they will always be accounted true and honest men, faithful to their king and country, and such as in a fair and open way have always prosecuted that cause, which in their judgment, guided by the judgment of the highest court, they held the justest; whereas the conspirators of this city must both in life and death carry perpetually with them the brand of treachery and conspiracy: and if Robert Yeomans had made use of his commission in an open way, he should be put into no worse condition than others in the like kind had been; but the law of nature among all men and the law of arms among soldiers make a difference between open enemies and secret spies and conspirators. And if you shall not make the like distinction, we do signify unto you, that we will not only proceed to the execution of the persons already condemned, but also of divers others of

the conspirators, unto whom we had some thoughts of extending mercy. And do further advertise you, that if by any inhuman and unsoldier-like sentence you shall proceed to the execution of the persons by you named, or any other of our friends in your custody, that have been taken in a fair and open way of war; then sir Walter Pye, sir William Crofts, and colonel Connesbey, with divers others taken in open rebellion, and actual war against the king and kingdom, whom we have here in custody, must expect no favour or mercy. And by God's blessing upon our most just cause, we have powers enough, for our friends' security, without taking in any that have gotten out of our reach and power, although divers of yours, of no mean quality and condition, have been released by us. Given under our hand the 18th of May, 1643.

To Patrick earl of Forth,
lord lieut. general.

NATHANIEL FIENNES, president.
CLEMENT WALKER, &c.

The king also at that time wrote a very sharp command to the mayor and citizens of Bristol, to raise what power they could to hinder the execution of those men, which he terms the murder of his loyal subjects; but nothing availed to save their lives, for the forenamed Robert Yeomans and George Bouchier, according to the sentence, were both executed. The loss of Bristol from the parliament, a place of great import, was thus by the detection and prevention of this conspiracy, respited for a while only. For not long after it was surrendered to prince Rupert; and happy it was for the prince himself to gain that city in a more honourable way, and less effusion of English blood.

At the same time that these conspirators against Bristol were by sentence of a council of war put to death, another plot of higher nature, and more full of horror, was detected at London; a plot, which if not discovered, had quite ruined the parliament itself, and struck at the very head and chief residence of it, the

cities of London and Westminster; which cannot be omitted in this relation, though with as much brevity as can be possible it shall be touched.

The scope of it was, to have put in execution the commission of array within London and Westminster, and so to have raised a sufficient force for the king's side to ruin the parliament. Many citizens of London were in the plot, together with some gentlemen besides, who had taken an oath of secrecy among themselves; and were the more animated in it, upon promises, which master Waller, the chief man in eminence among them, (a member of the house of commons,) had made to some of the rest, that many members of both houses of parliament were engaged in the plot, and would in due time be assistants to it. Though it proved in conclusion that master Waller was not able to make good so much as he had promised. The plot was horrid, and could not possibly have been put in execution without great effusion of blood, as must needs appear by the particular branches of it, which were confessed upon the examinations of master Waller, master Tomkins, master Challoner, master Hasell, master Blinkhorn, master White, and others the chief actors in it.

That which appeared by the narrative declaration, published by authority of parliament, was to this effect: that,

1. They should seize into their custody the king's children.
2. To seize upon several members of both houses of parliament, upon the lord mayor of London, and the committee of the militia there, under pretence of bringing them to legal trial.
3. To seize upon all the city's outworks and forts, upon the Tower of London, and all the magazines, gates, and other places of importance in the city.
4. To let in the king's forces, to surprise the city with their assistance; and to destroy all those who should by authority

of parliament, be their opposers ; and by force of arms to resist all payments imposed by the authority of both houses for support of those armies employed in their defence.

Many other particulars there were, too tedious to relate at large, as, what signals should have been given to the king's forces of horse to invade the city, what colours for difference those of the plot should wear to be known to their fellows, and such like. Much heartened they were in this business by a commission of array sent from Oxford at that time from the king to them, and brought secretly to London by a lady, the lady Aubigny, daughter to the earl of Suffolk, a widow ever since the battle of Keynton ; where the lord Aubigny her husband was slain.

That commission of array was directed from the king to sir Nicholas Crispe, sir George Stroud, knights ; to sir Thomas Gardiner, knight, recorder of London ; sir George Binion, knight ; Richard Edes and Marmaduke Royden, esquires ; Thomas Browne, Peter Paggon, Charles Gennings, Edward Carleton, Robert Abbot, Andrew King, William White, Steven Bolton, Robert Aldem, Edmund Foster, Thomas Blinkhorn, of London, gentlemen ; and to all such other persons as, according to the true intent and purport of that commission, should be nominated and appointed to be generals, colonels, lieutenant colonels, sergeant majors, or other officers of that council of war. The commission itself is to be read at large in the parliament records.

But this conspiracy was prevented, and proved fatal to some of the contrivers ; being detected upon the last day of May, (which happened at that time to be the day of the monthly fast,) and master Waller, master Tomkins, with other of the forenamed conspirators, being apprehended, were that night examined by divers grave members of the parliament, of whom master Pym was

one; and afterwards reserved in custody for a trial. They were arraigned in Guildhall, and master Waller, master Tomkins, master Challoner, master Hasell, master White, and master Blinkhorn, were all condemned; none were executed but master Tomkins and master Challoner, being both hanged, master Tomkins in Holborn, and master Challoner in Cornhill, both within sight of their own dwellinghouses; master Hasell died in prison, Blinkhorn and the other were, by the mercy of the parliament and the lord-general Essex, reprieved, and saved afterwards; master Waller, the chief of them, was long detained prisoner in the Tower, and about a year after, upon payment of a fine of 10,000*l.*, was pardoned, and released to go travel abroad. It was much wondered at, and accordingly discoursed of by many at that time, what the reason should be why master Waller, being the principal agent in that conspiracy, (where master Tomkins and master Challoner, who had been drawn in by him, as their own confessions, even at their deaths, expressed, were both executed,) did escape with life. The only reason which I could ever hear given for it, was, that master Waller had been so free in his confessions at the first, without which the plot could not have been clearly detected; that master Pym, and other of the examiners, had engaged their promise to do whatever they could to preserve his life. He seemed also much smitten in conscience, and desired the comfort of godly ministers, being extremely penitent for that foul offence; and afterwards, in his speech to the house, (when he came to be put out of it,) much bewailed his offence, thanking God that so mischievous and bloody a conspiracy was discovered before it could take effect.

CHAPTER III.

Matters of state transacted in parliament touching the assembly of divines. The making of a new great seal. Impeaching the queen of high treason, and other things. The lord-general Essex, after some marches, returneth to quarter his wasted and sick army about Kingston. The king's forces masters of the west. The earl of Newcastle's greatness in the north. Some mention of the earl of Cumberland and the lord Fairfax.

AT the same time that these conspiracies were closely working to undermine the parliament, and war was raging in highest fury throughout the kingdom, many state businesses of an unusual nature had been transacted in the parliament sitting. For things were grown beyond any precedent of former ages, and the very foundations of government were shaken, according to the sense of that vote, which the lords and commons had passed a year before, "that whensoever the king maketh war against the parliament, it tendeth to the dissolution of this government."

Three things of that unusual nature fell into debate in one month, which was May 1643, and were then, or soon after, fully passed; one was at the beginning of that month, concerning the assembly of divines at Westminster. Among other bills which had passed both houses, and wanted only the royal assent, that was one; that a synod of divines should be chosen and established, for the good and right settlement of religion, with a fit government for the church of England. This bill was oft tendered to the king to pass, but utterly refused by him: the matter therefore was fully argued, what in such cases might be done by authority of parliament, when the kingdom's good is so much concerned, when a king refuseth, and wholly absenteth himself from the parliament. And at last it was brought to

this conclusion ; that an ordinance of parliament, where the king is so absent and refusing, is by the laws of the land of as good authority to bind the people, for the time present, as an act of parliament itself can be.

It was therefore voted, by the lords and commons, that the act for an assembly of divines to settle religion and a form of government for the church of England (which the king had oft refused to pass) should forthwith be turned into an ordinance of parliament, and the assembly thereby called debate such things for the settlement of religion as should be propounded to them by both houses ; which not long after was accordingly put in execution.

The case seemed of the same nature with that of Scotland in the year 1639, when the Scottish covenanters, (as is before mentioned in this history,) upon the king's delay in calling their national synod, published a writing to that purpose ; that the power of calling a synod, in case the prince be an enemy to the truth, or negligent in promoting the church's good, is in the church itself.

In the same month, and within few days after, another business of great consequence was by the lords and commons taken into consideration, which was, the making of a new great seal, to supply the place of that which had been carried away from the parliament, as before is mentioned. This business had been fully debated in the house of commons, and the month following, at a conference between both houses, the commons declared to the lords what great prejudice the parliament and whole kingdom suffered by the absence of the great seal ; and thereupon desired their speedy compliance in votes for the making of a new one.

The matter was debated in the house of peers, put

to votes, and carried for the negative. The only reason which they alleged against the making of a new seal was this, that they have hitherto despatched all business since the absence of the seal, by virtue of ordinances of parliament, and they conceived that the same course might still be kept, in what matters soever were necessary to be expedited for the good of the kingdom, without a seal. Yet the lords gave a respective answer, that if the house of commons would inform them in any particular cases wherein the kingdom's prejudice by absence of the great seal could not be remedied by virtue of an ordinance, they would take it into further consideration, to induce compliance accordingly.

Neither was it long before the lords, upon reasons showed, concurred with the house of commons, who about the beginning of July presented to the lords at a conference the votes which had before passed in their house, together with the reasons for making of a new great seal. The votes were these :

Resolved upon the question, June 14 and 26.

1. That the great seal of England ought to attend the parliament.
2. That the absence of it hath been a cause of great mischief to the commonwealth.
3. That a remedy ought to be provided for these mischiefs.
4. That the proper remedy is by making a new great seal.

The reasons which they gave were divided into two branches: the first declaring those mischiefs which were occasioned by conveying away the great seal from the parliament; the second expressing those inconveniences and mischiefs which proceeded from the want of the great seal with them. The reasons of the first kind were thus :

1. It was secretly and unlawfully carried away by the
MAY.

lord-keeper, contrary to the duty of his place, who ought himself to have attended the parliament, and not to have departed without leave ; nor should have been suffered to convey away the great seal, if his intentions had been discovered.

2. It hath been since taken away from him, and put into the hands of other dangerous and ill-affected persons ; so as the lord-keeper, being sent unto by the parliament, for the sealing of some writs, returned answer, that he could not seal the same, because he had not the seal in his keeping.

3. Those who have had the managing thereof have employed it to the hurt and destruction of the kingdom many ways ; as, by making new sheriffs in an unusual and unlawful manner, to be as so many generals or commanders of forces raised against the parliament ; by issuing out illegal commissions of array, with other unlawful commissions for the same purpose ; by sending forth proclamations against both houses of parliament, and several members thereof, proclaiming them traitors, against the privileges of parliament and laws of the land ; by sealing commissions of *oyer and terminer* to proceed against them, and other of his majesty's good subjects adhering to the parliament, as traitors ; by sending commissions into Ireland, to treat a peace with the rebels there, contrary to an act of parliament made this session. Besides divers other dangerous acts passed under it, since it was secretly conveyed away from the parliament ; whereby great calamities and mischiefs have ensued, to the prejudice of the kingdom.

Mischiefs arising through want of the great seal.

1. The terms have been adjourned ; the course of justice obstructed.

2. No original writs can be sued forth without going to Oxford ; which none who holds with the parliament can do, without peril of his life or liberty.

3. Proclamations in parliament cannot issue out, for bringing in delinquents impeached of high treason or other crimes ; under pain of forfeiting their estates, according to the ancient course.

4. No writs of error can be brought in parliament, to re-

verse erroneous judgments ; nor writs of election sued out for choosing new members upon death or removal of any ; whereby the number of the members is much lessened, and the houses in time like to be dissolved, if speedy supply be not had, contrary to the very act for continuance of this parliament.

5. Every other court of justice hath a peculiar seal ; and the parliament, the supreme court of England, hath no other but the great seal of England ; which being kept away from it, hath now no seal at all ; and therefore a new seal ought to be made.

6. This seal is *clavis regni*, and therefore ought to be resident with the parliament (which is the representative body of the whole kingdom) whilst it continues sitting ; the king, as well as the kingdom, being always legally present in it during the session thereof.

The lords upon these reasons concurred with the house of commons, and order was given that a new great seal should forthwith be made ; which was accordingly done.

It should seem the king was not well pleased with this action of the parliament, as appeared by what was done at Oxford above a year after, when the king assembled together the lords which were with him, and all those gentlemen that had been members of the house of commons, and had deserted the parliament at Westminster, whom the king called *his parliament at Oxford*, and propounded many things for them to debate upon ; amongst which it was taken into debate, and resolved upon the question by that assembly at Oxford, that this very action (which they style *counterfeiting the great seal*) was treason, and the whole parliament at Westminster, *eo facto*, guilty of high treason. But this was passed at Oxford long after ; of which, occasion may be to speak further hereafter.

But at the time when the parliament made their

new great seal, the people stood at gaze, and many wondered what might be the consequence of so unusual a thing. Some, that wholly adhered to the parliament, and liked well that an action so convenient and useful to the present state was done by them, looked notwithstanding upon it as a sad mark of the kingdom's distraction, and a sign how irreconcilable the difference might grow between the parliament and the king's person. For the legality or justness of making of the seal, there was little dispute or argument among those who were not disaffected to the parliament; and though there were no direct or plain precedent for it, (for the case of a king's being personally in war against the parliament sitting was never before,) yet by comparison with other times, when the necessities of state have required such a thing, it was not only allowed, but thought requisite. I do not know of any thing written against it by any lawyers, or other of the king's party; but master Prynne, a learned lawyer, and great antiquary of the parliament side, hath written a copious discourse in justification of it, (both by arguments of reason, and many near resembling precedents of former times,) called, *The opening of the Great Seal of England*, which is extant to be read by any that would be satisfied what power from time to time parliaments have challenged and been allowed over that seal, both in making of it in the infancy or absence of princes, and disposing of it in the dotage or wilfulness of others.

But before this business was fully concluded, another thing, which seemed as great a sign how wide the rent was grown, fell into debate in the house of commons: some time was spent in consultation about it, and much arguing on both sides. The matter was about charging the queen of high treason. To that purpose many ar-

ticles of an high nature were drawn up against her ; some of them were, that she had pawned the crown jewels in Holland ; that she had raised the rebellion in Ireland ; that she had endeavoured to raise a party in Scotland against the parliament ; that she had gone in the head of a popish army in England : for not long before this time, the queen, with arms and ammunition from the Low Countries, and commanders of war from thence, had landed in the north of England, been entertained there by the earl of Newcastle, and by him and others, with strong forces, conveyed to the king at Oxford ; whereof more particulars will be related hereafter. Divers other articles were framed against the queen, upon which, within few months after, she was impeached of high treason by the house of commons, and the impeachment carried up by master Pym to the house of peers, where it stuck for many months, but was afterward passed there also, and may be further discoursed of in the due time.

It had been likewise before ordered by both houses, and was now accordingly put in execution, that the king and queen's revenue coming into the exchequer should be detained, and employed to the public service of the commonwealth ; a committee was chosen of lords and commons to dispose of it to the best uses. Divers necessary charges of the state were defrayed by it, and among others (which seemed a kind of just retaliation) many members of both houses of parliament, whose whole estates had been seized upon by the king's armies, were in some measure relieved at London out of his revenue, and thereby enabled to subsist in that public service to which they had been called.

But so exceeding great by this time were the charges grown for supportation of so spreading a war, that no contributions nor taxes whatsoever were thought suffi-

cient, unless an excise were imposed upon commodities, (according to the way of the Netherlanders,) such as beer, wine, tobacco, and meat ; which was taken into consideration by both houses, and this summer agreed upon. But the excise was laid with much gentleness, especially upon all victuals of most common and necessary use, insomuch that it was little felt either by the rich or poor people, and yet amounted monthly to a very considerable sum, though the king's quarters were then the
½ greatest part of England ; for the city of London was within the parliament quarters.

To return again to the lord-general Essex. His excellency in May 1643, having, as aforesaid, received intelligence of the defeat given to the parliament army in the west, and in what condition things there stood, not being able with his own forces to give them relief, sent order to sir William Waller (whose actions shall be anon mentioned in a series by themselves) to march thither in assistance of the Devonshire forces ; and writ his command to the governor of Bristol, to aid him with such horse and foot as he could conveniently spare out of his garrison. But things could not at that time be put in execution according to his desires ; and before sir William Waller could get far into the west, prince Maurice, marquis Hartford, and sir Ralph Hopton were joined all together.

The lord-general, since it was much desired by the city of London, from whom the supplies of money were to come, that he should move with his whole army towards Oxford, was content, though somewhat against his judgment, to proceed in that design ; and marched with the main body to Thame, to meet there with the forces sent from the associated counties to his assistance ; from whence (as a person whose care and command extended over the whole kingdom, which was

now overspread with a general war, and wasted by many armies at once) he granted a commission, by direction of the parliament, to the lord Fielding, (now earl of Denbigh by the late death of his father, who was slain in a skirmish, fighting against the parliament,) to be general of four counties, Shropshire, Worcester, Stafford, and Warwickshire; to levy forces there, and conduct them into any part of the kingdom, against the king's power, according to directions from the parliament or lord-general. He granted also at the same time another commission in the like manner to sir Thomas Middleton, to raise forces as general of all North Wales.

At Thame the hand of God, in an extreme increase of sickness, (hundreds in a day desperately ill,) did visit the lord-general's army; and by strange unseasonableness of weather, and great rain, continuing fourteen days, the place being upon a flat, moist, and clayey ground, made it impossible for him to advance from that quarter. In which time the army was by sickness, and departure of most of the auxiliary forces, brought to a number utterly unable to attempt the former design, without certain ruin, the situation of Oxford upon the river of Thames considered; for the lord-general conceived it impossible (as himself expressed) to block up the town, without a double number to what he then had.

But when the rain ceased, and the waters were so much abated as to make the ways passable, intelligence was brought that prince Rupert had drawn out his horse and foot toward Buckingham, with his cannon also; and had called in the country, making open profession before them that he would give battle to the general. The general marched with some speed toward Buckingham, to fight with him. When he came within two miles of

that town, he found the case far otherwise, and had intelligence that the prince had quitted Buckingham in a kind of disorderly manner; that the night before he had horsed his foot, and marched away, leaving some of his provisions behind him.

The lord-general understood well, that it was not possible for him, with his train of artillery and foot companies, to follow the enemy to any advantage. For if he had been at that time strong enough in horse, his desire was to have hindered prince Rupert from joining with the queen, who then was marching with a good convoy of horse from the northern parts of England (where she had arrived from the Netherlands) toward Oxford. But being not able to follow that design, he desisted from his march to Buckingham, sending into the town a party of his horse to quarter there that night, and to bring away that provision which the enemy had left there. He himself, with the rest of his army, marched to great Brickhill, a place most convenient to lie between the enemy and London, to defend the associated counties, to assist or join with the forces of the lord Gray of Grooby, sir John Meldrum, and colonel Cromwell, to whom he had before written, that if they could possibly, they should fight with the queen's forces, and stop her passage to the king. But it seemed that the business could not be done; that the queen and prince Rupert were suffered to join together with all their forces. Sir William Waller had been long victorious in the west, yet now the parliament's fortune, almost in every place, began to fail; and intelligence was brought to the lord-general, that sir William, having almost gained the whole west, and besieging sir Ralph Hopton in the Devizes, a town of Devonshire, was on a sudden, by unexpected forces from Oxford under the conduct of the lord Wilmot, totally routed

and forced into Bristol. The lord-general intending at the first report of this news to have marched himself for relieving of the west, upon more particular information, that sir William Waller's forces were so far broken that no assistance at all could be given by them, was enforced to desist from that enterprise. Considering also that his own army was shrunk, through the continual increase of violent sickness, want of pay, clothing, and other necessaries, to a most inconsiderable number, he resolved to proceed no further, nor to engage that weak army, to the ruin of itself and danger of the kingdom; especially since the forces of the associated counties could not with safety be commanded so far from home. He therefore returned toward London, quartering that poor remainder of an army at Kingston-upon-Thames, and other places near adjacent. In this distressed condition I must a while leave that great general, until some few weeks' time shall recruit his power, and enable him to make that famous and honourable expedition to the relief of Gloucester.

So great at this time were the successes which in all parts crowned the king's armies, that they seemed to possess an absolute victory, and the parliament in probability quite ruined; on one side the lord-general's army mouldered away by long sickness and other wants; the long successful sir William Waller quite broken in the west; and about the same time the lord Fairfax, and his son sir Thomas Fairfax, (though reserved by Divine Providence for a transcendent height of honour in the future,) with all the gentlemen almost which served the parliament in those northern parts, being defeated by the earl of Newcastle; and the lord Fairfax, with his son, driven into the town of Hull: on the other side, the king's armies were full and strong; sir Ralph Hopton, whom for his valour and industry

the king had honoured with the title of a baron, was possessed of a gallant army in the west, and seemed to want nothing so much as a considerable enemy; the king's other forces were free to choose what stage they pleased to act their parts upon. Prince Rupert was sent to besiege Bristol, where colonel Nathaniel Fiennes, second son to the viscount Say, was governor; which city, in this low ebb of the parliament, could not long hold out, but was soon delivered to the prince, a place of as much concernment as any in the kingdom. Prince Maurice, with another army, came to besiege the city of Exeter, into which the earl of Stamford was retreated after his defeat at Stretton in Cornwall, a nobleman who had long struggled with various success, and in sharp encounters against sir Ralph Hopton and other commanders of the king's side in those western counties, ruined at last by the treacherous revolt of some who had taken the same cause with him at the first. This city was likewise, after a long siege, for want of supplies, delivered, upon articles, to the prince that besieged it.

But the great cloud, which not only overshadowed the parliament in the north, but threatened to pour out storms upon parts far remote, was the earl of Newcastle, with his mighty army, who was grown formidable to the associated counties, and many other places of the kingdom. His army was at that time the greatest of any in England, which he maintained in brave equipage, by large contributions enforced from the country, and seemed of strength enough, not only to master any opposition of English forces, but to serve as a bulwark against the greatest army which the kingdom of Scotland could be able to send in aid of the English parliament. For the parliament had then sent into Scotland for the brotherly assistance of that kingdom,

and agreed upon entering into a covenant with them for defence of religion and the common liberty of both nations.

It pleased the Divine Providence (whose workings are many times beyond the reach of human conjectures) that this strong army, before the entrance of the Scots, found an enemy in England worthy of their fear, and were, by the personal valour and successful conduct of sir Thomas Fairfax, who seemed lately in a low condition, so far broken, (together with other defeats given to parts of it sent abroad,) that the passage for the Scots into England was much facilitated, as shall hereafter appear in more particular.

But it is worthy consideration (and therefore cannot but deserve a mention) with what unwearied constancy and wondrous magnanimity the two Fairfaxes, father and son, did labour to preserve those northern parts for the parliament, especially observing what great enemies they dealt withal; how many unexpected disadvantages happened to them, and accessions of power to their foes at several times; which, though it cannot be here related with full circumstances or particulars, yet may be touched in a general way.

The lord Fairfax, ever since that there was any appearance of this unhappy war, and that the king's commission of array began to jumble with the parliament's ordinance of militia, had been very industrious in raising strength, and joined himself most unanimously in that cause with sir John Hotham and his son master John Hotham, a member also of the house of commons, and a gentleman, not only active but prosperous, whilst he continued faithful to that side which he had chosen. And since the war broke out into action, the lord Fairfax, either singly by himself or sometimes joined with master Hotham, had taken and fortified many towns

and forts for the parliament, and made many sharp and fierce encounters against potent enemies. The earl of Cumberland, who was first made lord-lieutenant of Yorkshire by the king, was not able to suppress them, nor scarce maintain the war against that power which they had raised: *māūgre* whose forces, they took and fortified Cawood castle and the town of Selby in the month of October 1642, and surprised, presently after, the town of Leeds, where part of the earl's forces were quartered, of whom they took divers prisoners, knights and gentlemen of good quality, one of which was sir George Detherick, together with his whole troop.

The earl of Cumberland himself, within few days after, was driven into the city of York, and there besieged and summoned by the lord Fairfax and master Hotham; which happened about the same time that the famous battle between the king and the lord-general Essex was fought at Keynton.

But the earl of Newcastle with a greater force entered into York whilst the lord Fairfax and captain Hotham lay not far off; who, notwithstanding his great strength when he marched out of York, was encountered by them at Tadcaster, upon the 7th of December, the fight or several skirmishes continuing about five hours; in which the parliament forces did so well take their advantages, that they slew (as was reported to the parliament) two hundred of the earl's men, with the loss of eight soldiers of their own, of whom captain Lister was one, whose death was much lamented in the country, being esteemed a brave and religious man. After several skirmishes, the parliament army had the fortune to make a fair retreat to Cawood castle and Selby, and leave all to the earl, whose forces were reported to be about eight thousand horse and foot, the lord Fairfax and captain Hotham having not above two

thousand one hundred foot and seven troops of horse : their number had been greater, if sir Hugh Cholmely and colonel Bainton, with their regiments of foot and two troops of horse, who were expected, had accordingly come in to them.

The earl of Newcastle was now grown not only master of the field there, but formidable to all the adjacent counties ; who did therefore implore aid from the parliament. The parliament, upon that occasion, hastened the association of those counties which lay nearer to them, that they might be the more able to supply their remoter friends.

The king's side received then an addition of strength in the north, by the landing of colonel Goring at Newcastle, with two hundred commanders from Holland, and other provisions for the war.

The earl of Newcastle marching from Tadcaster surprised Leeds, in which town he took many gentlemen prisoners, and forced them to ransom themselves at high rates ; whereby he was further enabled to pay his great army. Then also he gave commissions to papists in that country to arm themselves in the king's service ; which he justified by writings published upon that occasion ; and at the same time proclaimed the lord Fairfax traitor.

The lord Fairfax, notwithstanding, marched with such forces as he had gotten together, and proved successful in divers attempts against several parts of the earl of Newcastle's forces, one of them happening at Sherburn, between Tadcaster and Doncaster, and another at Bradford, against a party of the earl of Newcastle's army under the conduct of colonel Goring, colonel Evers, sir William Savile, and sir John Gotherick, who came with a good strength of horse and dragoons to surprise on a sudden that town of Bradford ; but were by forces

timely sent to the relief of it forced to retire with some loss; which, though it were not a victory against colonel Goring and the rest, may notwithstanding be termed a successful action, in being able to repel an enemy too potent for them in all probability.

CHAPTER IV.

Some actions of sir Thomas Fairfax in the north. The queen lands in England. The revolt of sir Hugh Cholmely and the two Hothams. The state of this war in the western parts. The condition of the associated counties. A short relation of sir William Waller's actions; of colonel Cromwell, sir William Brereton, and sir John Gell.

GREAT were the achievements of sir Thomas Fairfax in that month of January and the following February; for no season of the year nor storms of winter could quench the rage of this civil fire. Sir Thomas Fairfax, on the 23rd of January 1642, marched from Bradford (six miles distant from Leeds) with six troops of horse and three companies of dragoons, under the command of sir Henry Foulis, baronet, his lieutenant-general of his horse, and near one thousand musketeers, with two thousand clubmen, under the command of sir William Fairfax, colonel, and lieutenant-general of the foot. When sir Thomas approached the town of Leeds, he despatched a trumpeter to sir William Savile, commander-in-chief there under the earl of Newcastle, requiring the town to be delivered to him for the king and parliament. But receiving a resolute and seeming scornful answer from sir William Savile, he drew nearer, and prepared to make an assault, though there were great strength in the town, namely, fifteen hundred foot and five hundred horse and dragoons, with two brass sakers. Sir Thomas Fairfax drew out five companies of his most expert soldiers, whom he disposed of

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at a fit side of the town, under the command of major Forbes, captains Briggs, Lee, Franke, and Palmer. Sir William Fairfax, at the head of his regiment, and [in] the face of the enemy, stormed the town with great skill and courage, whilst major Forbes did the like in his place, and sir Thomas himself, everywhere encouraging and teaching valour by his own example, brought on his men ; so that after two hours of hot fight, though the besieged behaved themselves well, the town was entered by sir Thomas Fairfax, sir William Fairfax, and sir Henry Fowles on one side, and major Forbes, with his fellow captains, on the other. They took within the town their two brass sakers, with good store of arms and ammunition, four colours, and five hundred prisoners, among whom were six commanders : the common soldiers, upon taking of an oath never to fight in this cause against the king and parliament, were set at liberty, and suffered to depart, but without their arms. There were slain about forty men, of which number the besieged lost the greater half. Sergeant major Beaumont, endeavouring in the flight to save his life by crossing the river, so lost it, being drowned therein ; and sir William Savile himself, crossing in flight the same river, hardly escaped the same fate. Public, thanksgiving to Almighty God was given at London for this victory.

Sir Thomas Fairfax with his victorious forces immediately marched to another quarter of the earl of Newcastle's army at Wakefield, from whence the chief commander, sir George Wentworth, fled, and left it to him. Not long after, he marched to Tadcaster ; at whose approach the earl's forces, though a considerable number, fled away, and forsook their works.

From that time scarce any one fortnight of all the following spring passed without some remarkable addi-

tion of strength to the king's side, in those northern parts. In February general King, a Scottish commander of great experience in military affairs, came out of Holland, landed at Newcastle, joined himself with the earl of Newcastle, and passed to York with six thousand arms. In the same month also the queen landing from Holland, near to Sunderland, with great provision of arms and ammunition, and many commanders of note in her retinue, was convoyed by the earl of Newcastle to the city of York.

The earl of Montrose about the same time, a young lord of great esteem in Scotland, who before in the Scottish war (as is there mentioned) had showed himself one of the most active and zealous covenanters of that nation, forsook his party there, and with the lord Oglesby fled out of Scotland with one hundred and twenty horse, to the queen at York. Upon which both those lords were proclaimed at Edinburgh traitors to their king and country, for that, contrary to their covenant, they stole out of Scotland, to assist the popish army (for so they called that of the earl of Newcastle's) against the parliament of England.

Another great wound to the parliament, not long after, was the revolt of sir Hugh Cholmely, a member of the house of commons, and one that had carried a good esteem among them, who had before (as is already mentioned) been employed by the parliament as a commissioner in the north, together with the lord Fairfax and sir Philip Stapleton, and was at this time highly intrusted by them; for he was governor of Scarborough, a place of great importance. He falsely betrayed his trust, and forsook the cause he had undertaken, going to the queen with three hundred men. Upon which he was impeached of high treason by the parliament; but it was not his fortune to suffer for that offence, as others

did, who about the same time failed in their trusts. The town of Scarborough was left in possession of a parliament captain, who was usually called *Browne Bushell*, a man that some thought would have kept it to the parliament's use: he likewise revolted, and delivered it to their enemies.

Upon the landing of general King, and the queen presently after, a suspicion began to arise, by some circumstances, that the two unfortunate Hothams, the father and the son, were false to the parliament. Which by the strict observation of some vigilant men on that side was further discovered, and began at last to be discoursed of with as little belief for a long time as Cassandra's prophecies, and when it came more plainly to appear, with as much, not only wonder, but sorrow of honest men, that so much unconstancy should be found. The particulars of this discovery, and how much the parliament, if not timely prevented, had suffered by it, there will be time hereafter to discourse of more at large. But they were both accused to the parliament, seized upon at Hull, and sent up to London, where they long remained prisoners in the Tower, before the time of their trial and execution.

Not all these disadvantages, by the growth of enemies and revolt of friends, could dishearten the lord Fairfax and his son, who still persisted with great courage, and raising the clubmen of the country, to piece up those small forces which remained with them, were able for a while to make considerable resistance, and perform divers services against some parts of the earl of Newcastle's vast army. But one victory was gained by sir Thomas Fairfax at Wakefield which may be termed rather miraculous than strange, though I shall relate nothing save known truth, such a victory, against so much odds, and so many disadvantages, as may serve

to teach how much success may possibly crown bold attempts, and justify that old saying, *Audaces fortuna* ^{take a} ^{fortune} ^{have it} *juvat*.

The lord Fairfax, general of the parliament's forces in the north, on the 20th of May gave order for a party to be drawn out from the garrisons of Leeds, Bradford, Halifax, and Howley: they marched one thousand foot, three companies of dragoons, and eight troops of horse: sir Thomas Fairfax commanded in chief: the foot were commanded by sir William Fairfax and sergeant-major-general Gifford; the horse divided into two bodies, four troops whereof were commanded by sir Thomas Fairfax himself, the other four by sir Henry Fowlys. From Howley, which was their rendezvous, they marched away, and by four o'clock in the morning came before Wakefield: those of the town were ready for them, and sent out some of their horse to encounter with theirs, and musketeers to line some hedges, even to the very town. There were in Wakefield three thousand foot and seven troops of horse, besides colonel Lampton's regiment, which came into the town after that the parliament's forces entered into it. But at the first encounter the parliament's forces beat their enemies' horse back; and their foot also drove those musketeers from the hedges even into the town, which they assaulted in two places, called Wrengate and Northgate, and after an hour and a half's fighting, recovered one of their enemies' pieces, and turned it upon them; and withal entered the town in both places at the same time. When the barricados were opened, sir Thomas Fairfax with the horse also fell into the town and cleared the street; there was a cruel and fierce encounter; in which place colonel Goring was taken prisoner by lieutenant Matthew Alured, (brother to captain John Alured, a member of the

house of commons;) yet in the market-place stood three troops of horse and colonel Lampton's regiment; to whom major-general Gifford sent a trumpet, with proffer of quarter, if they would lay down their arms. To which when they returned a scornful answer, he fired a piece of their own ordnance upon them, and the horse also falling in with great fury, soon beat them out of the town, and took all their officers prisoners. They took withal twenty-seven colours of foot, three cornets of horse, and about fifteen hundred common soldiers. They were likewise forced, when they fled, to leave behind them four pieces of ordnance, with ammunition, which the parliament forces carried away with them. For when they had thus taken the town, they found their number and strength too weak to keep it and their prisoners too. And therefore they quitted the place, and marched away with this brave booty.

This great victory at Wakefield seemed (according to the common saying) like a lightening before death; for not long after, these forces were quite broken by the earl of Newcastle, whose greatness overspread those countries, and was never encountered by any enemy but in parts of his army. He had managed the whole business, and attained his height of power by great skill and policy; and now, having no near enemy in the field, was gone to besiege the lord Fairfax in Hull, which was by some talked of as an error in him, no less than besieging Gloucester soon after by the king was censured.

Such a continual and sad war had the northern parts been forced to endure all the winter. Nor was it their case alone; scarce any county of England was free from it. The whole west, consisting of so many rich and flourishing shires, had been as sad a stage of civil tragedies. Many armies and small parties of either

side (too many for one history to describe at large, or give particular due to the actions of every gentleman) had been engaged, without any intermission, in those parts.

Of all commanders there, that sided with the king against the parliament, sir Ralph Hopton, by his unwearied industry, and great reputation among the people, had raised himself to the most considerable height, and continued the longest a leader of armies, as the sequel of the story will hereafter declare : but his successes, through the whole course of his actions, were very various, and many ebbs and flows were in his fortune.

The marquis Hartford, though far higher in dignity, and greater by power of his large commission from the king, (of which before is spoken,) was not able to act so largely in the field as sir Ralph did, though he were seldom idle, but busy about towns and in small parties. They were both opposed in their beginnings, not so much by any noblemen, or great commanders employed by the parliament's commissions, as by private gentlemen of those counties ; the chief of which were sir Francis Popham and his sons, master Strode a deputy lieutenant there, with others before named, besides plain freeholders of the country, who seemed to understand their own liberties and interest which they had in the commonwealth. Until at the last the earl of Stamford, a stout gentleman, (who had been before employed about Leicester, against master Hastings, with a commission from the parliament, as general of some counties,) was sent into the west.

The earl of Stamford was by the parliament made lord-general of all South Wales, and the four next adjacent counties, as Gloucester, Worcester, Hereford, and Cheshire ; with power to raise forces in all those

counties, to appoint officers and commanders over them, to train and exercise the men, and to fight with all that should oppose him. The lord Gray, son and heir to the earl of Stamford, was appointed to succeed his father in his former charge, and made lord-lieutenant of five counties, Leicester, Nottingham, Derby, Rutland, and Lincoln, to continue the war against master Hastings, the earl of Chesterfield, and others, who opposed the parliament in those parts.

The earl of Stamford, at his first coming into the west, was successful against sir Ralph Hopton, whom he raised from the siege of Plymouth; but sir Ralph Hopton, not long after, by a stratagem of feigning flight, entrapped many of the earl's men, conducted by a lieutenant of his, and gave an overthrow to the parliament forces; betwixt whom and the earl of Stamford, upon the 15th of March 1642, a truce was made for twenty days. The earl, after the expiration of that truce, again taking the field, with a competent army, was a while prosperous against sir Ralph Hopton; but not long after overthrown by the revolt of young Chudley, son to sir John Chudley, by whose assistance before those parliament forces had been victorious. The earl of Stamford was then enforced to betake himself to the city of Exeter, whither Hopton and Chudley followed him, to lay siege to the place. But prince Maurice was soon after sent thither to command in chief; to whom at last (as is before expressed) it was upon fair articles surrendered by the earl of Stamford.

Notwithstanding so many misfortunes, as had then fallen upon the parliament side, about the end of May 1643, they did not despair of regaining the whole west, by the active valour of sir William Waller, who about that time was very prosperous in those counties and some parts of the principality of Wales, and whose

name was grown to be a great terror to his enemies. Of his actions, and by what degrees he grew into esteem and strength, it will not be amiss to relate in a continued series, considering how great a general he became afterwards in these wars, and in what low command he began. He was a gentleman of fair experience in military affairs by former travels and services abroad, of good judgment, and great industry, of which he gave many testimonies to the kingdom.

Sir William Waller, about the time of the battle of Keynton, received a commission to be colonel of horse; and moving that winter following, as occasions of the present war required, performed many exploits; he took in Farnham castle, and passed southward, after that Portsmouth by his assistance had been taken from colonel Goring, and some other quick services at Winchester, and in the country thereabouts, which he had performed, joining himself with colonel Browne, a citizen of London. (who took up arms at the beginning of this civil war, and continued till the very end, in high commands, and reputation as high; of whose actions more must be delivered in the sequel of this history). Colonel Hurrey and some others passing into the western part of Sussex, he laid siege to the city of Chichester: in that city many gentlemen of rank and quality had fortified themselves, and gathered together much arms and ammunition for service of the king against the parliament.

About the middle of December, appearing before Chichester, he was there met with some forces, troops of horse and dragooners, that came to his assistance from Kent and Sussex, under the conduct of colonel Morley, a member of the house of commons, a gentleman of good rank in Sussex, and great activity in the parliament service, and sir Michael Leivesey, a Kentish

knight. The battery was placed by sir William at fit places, and all things ordered with great skill; but before the battery began, to save effusion of blood, sir William, by the consent of all his officers, summoned the town by a trumpet, with such conditions offered, which were judged too high by the besieged, and therefore at first not accepted of; yet after eight days it was rendered to him upon no other conditions than only quarter and fair usage. The prisoners which were taken there of note were immediately sent toward London to the parliament, who were sir Edward Ford high sheriff of Sussex, sir John Morley, colonel Shelley, master Leaukner, colonel Lindsey, lieutenant-colonel Porter, major Dawson, and major Gordon, with doctor King then bishop of Chichester, and many other officers and commanders in arms, to the number of sixty, about four hundred dragoons, and almost as many foot soldiers. In the March following, his employment was in the western parts of England, where he raised forces. The next in command under him, who continued with him in almost all his actions, was sir Arthur Haslerig, another member of the house of commons, serving as knight for Leicestershire, a man that in all battles and skirmishes gave great proofs of his prowess and personal valour. Sir William Waller having now raised a competent force, and marching out of Bristol on the 19th of March, within two days after approached Malmsbury. Colonel Herbert Lunsford, a stout gentleman and a good soldier, brother to sir Thomas Lunsford that was taken at Keynton battle, was then governor of Malmsbury; who upon the first approach sent out seven troops of horse, to begin an encounter with him; but they were no ways able to endure the force of those horse which sir William had drawn out against them, but fled immediately, some of them back into the town;

many of them, conceiving that there was small safety in the town for them, fled quite away.

Sir William assaulted the town the same day, but not prevailing then, he lodged there all night, preparing the next morning for another and more fierce assault. But the besieged, conceiving the place untenable, desired a parley, and yielded upon quarter. He took at Malmsbury one piece of ordnance, about three hundred prisoners, whereof colonel Lunsford and colonel Cook were the chief, with almost twenty officers, great and small; good store of rich prize and ammunition: the conquest was bloodless, and very few slain on either side.

Within few days after, he obtained a very considerable victory near to Gloucester against the lord Herbert of Ragland, son to the earl of Worcester, who with a great army of Welchmen lay against that town; which, for the manner of it, in brief, was thus: sir William with his forces coming near to Cirencester, made show (the better to conceal his purpose) as if he intended to fall upon that town; but his design was for Gloucester, and had taken such provident care, that the men in Gloucester had notice of his purpose; and that with the help of his flat-bottomed barges, which thence were brought to him in the nature of waggons, (useful both by land and water,) he would transport his forces over the river Severn, beyond Gloucester, and fall upon the rear of the lord Herbert's Welch forces, when he was least feared or expected; withal, he gave notice to the Gloucester forces to fall upon the front of that army, as he would upon their rear. The plot, as it was wisely contrived, was successful in the event, and took so good effect for him, that when the lord Herbert was in skirmish with the forces of Gloucester, and confident to cut them all off, being very few in comparison

of his own, sir William with his army, near Highnam, their quarter, fell suddenly upon the rear of the lord Herbert's men, with such fury, that they were all routed, and would gladly have fled, if they had known any way to escape. There were slain of that Welch army about five hundred upon the place, near a thousand taken prisoners, with all their arms and ammunition, the rest wholly dispersed and scattered : the lord Herbert himself escaped by flight, and got to Oxford.

Sir William Waller, after this great victory, marched from thence to Tewkesbury ; at whose approach, those of the king's soldiers that were garrisoned there fled away, and left it to him ; from whence marching further into the country, he surprised divers straggling troopers of the other side, with some arms, pistols, and carbines, together with 16000*l.* in money, and carried away his booty to Gloucester,

Within as short a distance of time, he took Chepstow in Monmouthshire, and seized upon divers of those that were conspirators for the betraying of Bristol, (of which treason I have spoken before,) and who upon the discovery of it had fled from thence. At that place he took a ship called the Dragon of Bristol, and great store of wealth in her, belonging to those who were his enemies ; which he seized, as a just booty, and much to his advantage.

From Chepstow he marched with a swift pace to Monmouth ; the town, upon composition, was soon rendered to him ; from whence, after he had put a garrison into it, he marched to Uske, and summoned the country ; where divers forces came into him ; among others, sir William Morgan's son, of Tredegan, brought him five hundred armed men, and some money ; where also master Herbert of Colebrook raised a thousand men, and seized on Abergaine for the parliament.

Sir William Waller, in this high career of his fortune, was commanded back from the west by the lord-general Essex, to come to the chief army: which being soon understood among those of the king's army, he was waylaid by prince Maurice. The intention of sir William Waller was to get to Gloucester with his forces; having therefore sent away his ordnance and baggage, with his foot to guard it over Wye to Aust, himself, with his horse and dragoons, resolved to fall upon prince Maurice's army, and force a passage through, which he did with great success, and small loss; and, as he marched afterward, cut down all the bridges behind him; whereby he hindered prince Maurice from marching after him. This course if the prince had taken before him, sir William Waller might have been kept in Wales to his great disadvantage. But by that means of cutting down the bridges, prince Maurice's pursuit being hindered, sir William Waller, by assistance of the governor Massey, regained many towns possessed by the king's forces, especially Tewkesbury, sir Matthew Carew being fled from thence. But there he took many prisoners, much arms and riches; he placed a garrison there; and from thence, according to his first design, arrived safe at the city of Gloucester.

Sir William Waller continued not long at Gloucester, but, (being now dispensed with for returning to the lord-general,) according to his usual celerity, he flew to Hereford, before any fear or expectation of his coming. He took that town upon quarter, and in it many prisoners of great rank and quality, among whom was the lord Scudmore, with five revolted members of the house of commons, viz. the lord Scudmore's son, colonel Herbert Price, sir Richard Cave, lieutenant-colonel Conisby, master Conisby, and besides them sir Walter Pye, sir William Crofts, lieutenant-colonel Thomas

Price, sergeant-major Mintridge, sir Samuel Amby, sergeant-major Dalton, captain Somerset, captain Sclater, doctor Rogers, doctor Goodwin, doctor Evans, and divers others; who were all carried away to Gloucester.

Within three days after that service, he surprised the town of Leinster in that county, twelve miles distant from Hereford, where he took good prize, disarmed many of the king's party there, and placed a garrison in the town.

It was feared at that time, by those of the king's side, that sir William Waller, going on in so prosperous a way, might perchance surprise Worcester and Ludlow. To prevent therefore his further proceedings, prince Maurice, with a good strength of horse, was sent from Oxford, with whom also the marquis of Hartford was joined, to fall upon him. But sir William scouring the countries thereabouts with his active forces, and having disarmed many of the other side in Wilts and Somersetshire, came to Bath with an army much increased of late both in number and reputation; at which place sir Edward Hungerford, sir John Horner, and master Strode, joined with him to oppose prince Maurice and the marquis Hartford. About that part of the country were frequent and fierce encounters, which lasted for a long time, and many retreats with great skill and courage were made on both sides when night parted the fury of their fights. But sir William Waller proved for the most part victorious, (whose particular actions there deserve a more peculiar relation,) and at last became master of the field, chasing his enemies so far as a town called the Devizes, to which place he followed and besieged them. The losses in all those several encounters were very uncertain, and variously reported, by reason that both parties had many times liberty to bury their dead; but on the parliament side

were lost one major, one lieutenant, and two cornets. Sir Arthur Haslerig was there wounded, but the danger was not very great. On the other side, besides the uncertain number of common soldiers, some of quality were slain; among whom was sir Beville Greenvile, lieutenant-colonel Ward, major Lowre, with five or six captains: sir Ralph Hopton, the earl of Carnarvon, and the lord Mohun were reported to be wounded.

Sir Ralph Hopton was besieged in the Devizes by sir William Waller, and began to treat about the surrender of it; for prince Maurice and the marquis of Hartford were retired toward Oxford, where suddenly the fortune of war changed, and sir William Waller's army, by an unexpected party of fresh forces, which came from Oxford, (for the lord-general Essex's army was so much wasted by sickness and other distresses, that he could not at all straiten Oxford, nor hinder any forces from issuing thence,) under the conduct of the lord Wilmot, was utterly defeated, scattered, and ruined, as was before mentioned. He himself, for security at the present, retired into the city of Bristol, from whence, within few days, he rode, accompanied with some gentlemen, toward London, and was there received with great affection, and many promises of their best endeavour to set him forth with another army.

The king's forces seemed now to have done the greatest part of their work, being in a manner sole masters of the west and most northern counties of England, and having ruined the lord Fairfax and sir William Waller's armies. Yet in all counties the fortune was not alike: in many places those gentlemen which adhered to the parliament were able, not only to guard themselves, but get ground upon their enemies, though those actions were for the most part performed in skirmishes between small parties, in preserving their

own strengths, or taking towns from the other side, such as had been in Cheshire, Lancashire, Staffordshire, Derby, Leicester, Nottingham, and other places, which I shall briefly touch anon, after I have related in how contrary a condition to the north and west, which had been the seat of a fierce war, and a prey to the greatest and most potent armies of either side, and how much happier than those other counties, which had been always molested with alarms and skirmishes, and suffered by pillaging on both parties, the eastern counties of England had remained all the foregoing winter, and continued so during the whole progress of this bloody war, which were the counties of Suffolk, Norfolk, Cambridge, Essex, Hartford, Huntingdon, &c., who never were made the seat of any part of this civil war. These parts of the kingdom had joined themselves in an association by authority of parliament, with power to defend each other, and levy forces against all enemies to that cause. This great happiness of peace and quiet that they enjoyed may be supposed to flow from the unanimity of their affections, which carried them all the same way; and true it is, that there was as much unanimity of opinion and affection in those counties among the people in general as was to be found in any part of England; but it was especially among the common people: for a great and considerable number of the gentry, and those of highest rank among them, were disaffected to the parliament, and were not sparing in their utmost endeavours to promote the king's cause, and assist his force against it; which might have thrown those countries (if not wholly carried them to the other side) into as much distraction and sad calamity as any other part of the land had felt; nor could that association have been possibly made, if those gentlemen had not been curbed and suppressed by that timely care which the

parliament took, and more particularly by the successful services of one gentleman, master Oliver Cromwell of Huntington, a member of the house of commons; whose wisdom, valour, and vigilancy was no less available in this important business, than remarkable afterwards in the highest services and greatest battles of the whole war. Of this man's actions (because it pleased God to raise him afterward into the greatest commands, and prosper in so high a measure all his undertakings, that he became within few years one of the chief props on which the parliament leaned, and greatest scourges of the other side) let it not seem amiss if I discourse in a continued series, during those months that intervened the battle of Keynton and that low ebb of the parliament which preceded the siege of Gloucester.

The first action that Cromwell undertook was to secure the town of Cambridge for the parliament, about the middle of January. Universities were, of all places, most apt to adhere to the king's party, esteeming parliaments, and especially this, the greatest depressors of that ecclesiastical dignity, in hope of which they are there nurtured.

Upon which reason they were packing up a large quantity of the plate that belonged to all the colleges, to send it away to the king, which would have made a considerable sum. This was foreseen by Cromwell; who, by a commission from the parliament and lord-general Essex, had raised a troop of horse, and came down into that country, with authority to raise more forces as occasion served: he came to Cambridge soon enough to seize upon that plate, which was going to Oxford: but before his arrival there, he performed by the way another service: sir Thomas Conesby, lately made high sheriff of Hartfordshire, had received a proclamation

from the king to proclaim the earl of Essex and all his adherents traitors, and was then at St. Alban's upon a market-day, proclaiming of the same; Cromwell with his troop seized upon him, and sent him up to the parliament.

Not long after, he collected in convenient time the forces of that county, and invited the neighbour counties of Essex, Suffolk, and Norfolk to their assistance, against an invasion of the lord Capel, who should have been seconded by prince Rupert also to invade that place and hinder the association; which had been done, if that timely prevention had not been used. This made them forbear their intended invasion, and retire to other parts.

About the beginning of March, Cromwell, having raised a regiment of horse, consisting of one thousand, marched into Suffolk with much celerity, upon intelligence of a great and considerable confederacy held among those gentlemen which adhered to the king's party, at a town in that county called Lowerstoff, a place of great consequence: he surprised them unawares, gained the town with small difficulty, and no shot at all. In which he took prisoners sir Thomas Barker and his brother sir John Pettus, master Thomas Knevet, two of the Catlines, captain Hammond, master Corey, master Turrill, master Preston, and about twenty others of quality and substance. In that town he gained good store of ammunition, saddles, pistols, powder, shot, and several engines for war, enough to have served a considerable force. And certain it was, that if Cromwell had not surprised them in that nick of time, it had proved a matter of great danger to the county; for within one day after, as many more knights and gentlemen, that were listed before, had met at the same place. This was a timely service to the parliament, and a great

discouragement to all that party in Suffolk and Norfolk, which adhered to the king's side.

But when the spring grew further on, and it was seasonable to make longer marches, about the beginning of April, Cromwell, having well settled the businesses of those associated counties for the parliament's use, and not confining his care and services within those parts only, raised a greater force, of such as came freely and heartily in to him; with whom he marched along towards Lincolnshire, with purpose to assist those of his side that warred against Newark. Newark was one of the strongest garrisons which was then held of the king's side, replenished with many gentlemen of Lincolnshire, and other shires, and some expert soldiers, who enforced large contributions from the adjacent country, and made roads oftentimes even to the walls of Lincoln. Colonel Cromwell, in his march thither, as he passed through the county of Huntingdon, disarmed many that were ill-affected to the parliament, and increased by that means his strength so far, that he was grown above two thousand strong; and before he came to Newark, receiving an addition of horse from captain Hotham, he also joined with some forces of Lincolnshire. At his first approach near to Newark, it was his fortune to perform a good service for his side; for when captain Wray, with his Lincolnshire horse, had too rashly quartered within a little of that town, he was set upon in the night time by a strong party from the town; where, after some little bickering, not being able to resist so great a number, he was surprised with his whole troop; but the alarum coming to Cromwell, he advanced, and at ten o'clock at night fell upon the Newarkers, rescued captain Wray's troop, and took three troops of theirs, with the slaughter of many of them.

After this, when he sat down before the town, he

was so vigilant upon all sallies that were made out, and so successful, that he took many men and colours at several times; and, with his horse, watching all occasions, he once defeated a strong party of the Newarkers, near to Grantham, where the odds of number was so great on their side, that it seemed almost a miraculous victory. At another time he fell upon a party of the earl of Newcastle's army sent toward Newark, and quartering between that town and Grantham, of whom he slew many, took an hundred horse and forty prisoners.

Such things as these were the beginnings of Cromwell at his first entrance into the soldiery; those that must be called *his deeds* were in the following years of this unhappy war, and will require a larger and more full expression.

In those other counties which were named before this discourse of the association, the fortune of war, during the aforesaid months, had been very various, and daily contestations happened, being for the most part betwixt small parties, and in besieging, taking, and retaking of towns and forts. In Cheshire, sir William Brereton (a wise and vigilant man, who from the beginning of these troubles had taken charge of that county, serving in parliament as knight thereof) had so well acted his part against the earl of Darby, (made by the king lord-lieutenant of that county as well as of Lancashire,) that he was the chief instrument of delivering Cheshire out of his hands, and preserving it for the parliament, though the greater part of gentry there adhered to the king: but it pleased God to give many victories to sir William Brereton against them.

He obtained, about the beginning of March, a great victory against those of the king's party at Middlewich in Cheshire; which town, after a sharp encounter in the

fields before it, he finally took, with five hundred prisoners, whereof many were commanders and gentlemen of great worth; which victory did much advance the parliament's cause in those parts.

He resisted with great success the lord Cholmely and sir Thomas Aston, two powerful men, and zealous for the king's party.

Having settled in some measure, by extraordinary care and wisdom, his own county for the parliament, and raised many stout and well armed men there, he was forward to give assistance to other parts; and advancing into Shropshire against the lord Capel, he surprised a town called Dreyton, in which sir Vincent Corbet, a commander of the king's side, was quartered: but sir William Brereton with small opposition entered the town, and took two complete troops of horse and six companies of dragoons. Sir Vincent Corbet escaped by flight.

He marched thence along through those counties, and took some places of great import, as the affairs of both parties stood at that time.

Sir William went on prosperously, and within a short time after took Whitchurch, upon the edge of Shropshire, with great store of arms and ammunition, and many prisoners of the lord Capel's forces.

But sir William Brereton, when he joined forces with other men, or came in opportunely to the relief or rescue of engaged friends, performed divers great and advantageous services to the side he took, especially when he joined in action with sir John Gell of Derbyshire, a constant and successful actor for the parliament; of whom by himself, and together with sir William Brereton, I shall make a further mention.

The county of Derby, full of nobility and gentry, was much swayed, even from the beginning of these dis-

tractions, against the parliament; for scarce did any gentleman in all that county, but sir John Gell, appear for it at the first. He, with his brother and some of his kindred, by the help of those freeholders and yeomen that inclined that way, made a party to resist those great ones at such a time as must needs renown his courage and constancy. And it pleased God to make him prosperous in that great and hazardous undertaking, and to carry it so during the whole war.

After the battle at Keynton, he took a commission from the earl of Essex; with great care and cost he provided arms, and timely seized upon the town of Derby; which town he so well fortified, that it proved a sufficient defence against the assaults of potent enemies, and a refuge upon all occasions to the parliament's friends; it was likewise, no doubt, a great encouragement to many of the neighbouring counties to stand upon their guard in the like kind.

But the walls of Derby could not immure sir John Gell, nor hinder him from acting his part abroad. In many services he joined himself (not without good success) with sir William Brereton, with colonel Cromwell, and marched sometimes with the lord Grey of Grooby (before mentioned, lord-lieutenant of those counties) against master Hastings, and against the town of Newark.

In the month of February he marched with those forces which he had, under the conduct of the lord Brook, into Staffordshire, to take in Lichfield, which was then possessed by a garrison of the king's side. Having entered the town, they found hot and sharp resistance from a place of great strength, called *The Close*, or cathedral yard, a place famous in the succeeding war, as being often gained and regained, with the loss of much blood on either side.

CHAPTER V.

The death of the lord Brook and of the earl of Northampton. A short mention of some actions in divers counties. The low condition of the parliament at that time. The siege of Gloucester.

WHILE the parliament army continued at the siege of Lichfield-close, their general, the lord Brook, as he looked out of a window, was unfortunately shot into the head, and died immediately; a man as much lamented by the parliament as any that ever fell on that side, and as much honoured for his piety, valour, and fidelity.

After his death, sir John Gell succeeded in that command, and about the beginning of March took the Close, with very little loss of blood, though they had their mines ready prepared to blow up the walls of the Close and had thrown granados into it; which made the besieged cry out for quarter, which they obtained; for the soldiers thought it not honourable (being in cold blood) to revenge their general's death, by putting them to the sword. But they took a good and rich booty of money, bag and baggage, about a thousand arms, and very considerable prisoners, the earl of Chesterfield, with his son, and divers other gentlemen of rank.

About the middle of that March, sir John Gell, with an army of fifteen hundred horse and foot, advanced from Lichfield toward the town of Stafford; where it was his fortune to meet with the earl of Northampton and his forces, consisting of about twelve hundred horse, at a place called Cranock-green, or Salt-heath, almost four miles from Stafford: the earl gave a brave and furious charge upon them, and, being stronger in horse, made sir John Gell's horse to retreat and disorder at this first charge; in which he took divers of them pri-

soners, and surprised two drakes. After that, he wheeled twice about their foot, seeking his best advantage where to break them : but sir John Gell and his commanders did so well order their battalia, that the foot kept unbroken, and made good the field again, together with their horse, and resaluted their hot assailants, fighting pellmell for a long time.

At this fierce encounter the earl of Northampton himself was slain in the place, one master Lucy and captain Bagot, with many more, about whose number relations did not agree ; a cornet of the king's also was here slain, and his colours taken, having on it a crown and this inscription, *Carolus Rex*. Two other cornets were there taken, of which one was the prince's ; for the king and prince's troops were both there. They took prisoner one of the earl of Chesterfield's younger sons ; and sir John Gell, by the timely coming in of sir William Brereton to his assistance, before the fight was ended, obtained a great victory, and drove his enemies quite out of the field. Among the rest, master Hastings, (as was then reported,) having been once taken prisoner, and rescued, fled away wounded.

Thus it fell out that these two peers, the earl of Northampton and the lord Brook, who first of all the nobility, at the breaking out of this civil distraction, had personally contested in one county, about the parliament ordinance of militia and the king's commission of array, within a small distance both of place and time, ended their days by this unhappy war. They were both much lamented by their own parties, both men of worth and courage, though much different in the manner of their lives and conversations.

As Cheshire, though a county where many papists inhabited, was, by the successful care of sir William Brereton and other gentlemen, kept from deserting the

parliament, and able to resist the earl of Darby, the king's lieutenant there ; so her sister Lancashire, more full of papists, and more fiercely assaulted by that earl, under the same authority, being the place of his chief residence and power, was able not only to resist him, but finally beat him out of the country by the courage and industry of divers protestant gentlemen of that shire ; of whom I have named many in the precedent book. But it is fit to give a little touch of the chief actions.

The parliament, in midst of winter, when that county was in the greatest distraction, had sent down sir John Seaton, a Scottish knight, an experienced and stout commander, as major-general of the forces in that shire, that he might direct the unskilful valour of that people ; though many of those gentlemen had done great services before, as appeared at Manchester and some other places.

One of his exploits was at Preston : sir John Seaton having settled himself at Manchester, marched from thence, about the beginning of February, toward Preston, with major-general Sparrow, colonel Holland, captain Booth, sergeant-major Birch, master Nowell of Mearkley, and some other, with about ten companies and almost two thousand clubmen, to take in Preston, a town well fortified, and very stoutly defended. But it was so furiously assaulted (captain Booth in person first scaling the walls) by the parliament forces, that after two hours of extreme hot fight, the parliament forces were masters of it : the town was taken with small loss of the assailant side, which was wonderful ; not one officer, and not above seven or eight common soldiers. On the other side many fell ; the mayor of the town, Adam Morte, with his son, sir Gilbert Houghton's brother, a captain of horse, with divers others of quality :

sir Gilbert himself fled to Wigham. They took two hundred prisoners, whereof many were gentlemen of good rank in the country: they took three pieces of ordnance, many muskets, and other arms, with two or three colours. The taking of this town was of great consequence, both toward the maintenance of the parliament forces, and also to stop the passage from Newcastle to Chester and Shrewsbury.

Shortly after, sergeant-major Birch was sent from Preston to Lancaster town; who, without any great opposition, (for he came suddenly and unexpected,) soon entered the town with his whole company; and being entered, the townsmen assisted him very freely to win the castle there; which he took into his possession for the parliament.

Wigan also, in Lancashire, was taken in, with great store of arms and prisoners, by sir John Seaton, with those gentlemen that followed him, together with the townsmen of Manchester, and other clubmen of the country, whom they had gotten together.

The earl of Darby desisted not from his endeavours to reduce that county; but marched with a considerable strength to take in Whaley, which he had almost accomplished, but was notwithstanding repelled from thence by the forces of the country.

The same earl had likewise possessed himself of Warrington, a considerable town in Lancashire; and left a garrison in it; but at the beginning of June that town was regained by the forces of Manchester, with eight pieces of ordnance, and five or six hundred prisoners; by which all Lancashire seemed to be reduced to the obedience of the parliament, scarce any place of considerable strength being left in the power of the earl of Darby.

The lord Grey of Grooby had been long possessed of

Leicester, as the chief quarter where he resided ; and besides his actions at other parts about that place, with various fortunes had opposed the forces of master Hastings, who kept a garrison at Ashby de la Zouch, and acted with great fervour and constancy for the king's cause.

Hampshire had been much distressed by both parties ; but the king's garrison of Winchester, and that of Basing-house, the dwellingplace of marquis Winchester, were there predominant, and at their pleasure forced contribution from the adjacent country. Wales was almost wholly at the king's dispose, except very few places, which with much difficulty preserved themselves for the parliament, and some gentlemen, who with much hazard continued their fidelity to that side, such as colonel Glynn, colonel Mitten, and Laughern, with other private gentlemen. But indeed the parliament was then in a low ebb ; and before the end of that July, 1643, they had no forces at all to keep the field ; their main armies (as is before touched) being quite ruined, and no hope in appearance left, but to preserve a while those forts and towns which they then possessed ; nor could they long hope to preserve them, unless the fortune of the field should change.

Thus seemed the parliament to be quite sunk beyond any hope of recovery, and was so believed by many men. The king was possessed of all the western countries, from the furthest part of Cornwall, and from thence northward as far as the borders of Scotland. His armies were full and flourishing, free to march whither they pleased, and enough to be divided for several exploits ; one part was sent to take in Exeter, where the earl of Stamford was shut up, not able long to hold the place. The king in person, with a gallant army, designed his march towards Gloucester, the only considerable town

in those parts which the parliament held. What the king's party conceived then of the other side was expressed in many writings; one, in the nature of a jeering epigram, was made at Oxford, which I thought fit to insert, because of the particular expressions of the parliament's low condition. The thing is written in an odd manner, and the names of the parliament commanders, Fairfax and Waller, expressed by a *rebus* way of Latin, as likewise those of the king's side, marquis of Hartford and earl of Newcastle. I leave it to the reader without either translation or comment:

*Extincta castro Fax pulchra novo est ;
Nec nautæ postea nec militi
Sit nota Pharos ; Auster disparem
Haud tulit casum : Murus, cui addita est
Canina littera, mersa est, suis
Cum turmis, nuper, Leporis vado.
Euri βαυτοροει Bristonia
Leporinos horrescens vortices.
Anglica Claudii timet pares
Urbs casus ; herois Teutonici
Myrmidones astant magno cum duce.
Pacata Thule est ; nec Noto timor
Popello aut regi. Nihil relictum est
Britannicum domare Cæsarem
Ni νεομαυρομέβου preces gregis.
Hæc Sphinges raptim Œdipo suo^d.*

Julii 20, 1643.

London was then altogether unfortified, no works were raised; nor could they, if their enemies, then masters of the field, had come upon them, have op-

^d In the first line of this epigram the two words *Fax pulchra* denote the lord Fairfax and his son sir Thomas Fairfax, and the troops under their command; and the words *Castro novo* denote the earl of Newcastle and his army. In the fourth and fifth lines the words *Murus, cui addita est Canina littera*, denote sir William Waller, or

posed any walls, but such as old Sparta used for their guard—the hearts of courageous citizens. But at that time London began her large intrenchment; which encompassed not only the city, but the whole suburbs on every side, containing about twelve miles in circuit. That great work was by many hands completed in a short time, it being then a custom every day to go out by thousands to dig, all professions, trades, and occupations taking their turns; and not only inferior tradesmen, but gentlemen of the best quality, knights, and ladies themselves, for the encouragement of others, resorted daily to the works, not as spectators but assisters in it; carrying themselves spades, mattocks, and other instruments of digging, so that it became a pleasing sight at London to see them going out in such order and numbers, with drums beating before them, and put life into the drooping people, (being taken for an happy omen,) that in so low a condition they seemed not to despair. But bootless in probability had that labour proved, and not timely enough to save Lon-

Wall-er, and his army; and in the sixth line the words *Leporis vado* denote the marquis of Hertford, or Hartford, or Harford, or Hareford, or Hares-ford, and his army, which had lately defeated sir William Waller's army. In the ninth and tenth lines the words *Claudii urbs* denote the city of Gloucester, which is sometimes in Latin called *Claudii castra*. In the tenth line the words *herois Teutonici* seem to denote prince Rupert, the German hero, who had lately taken the city of Bristol, and who was coming with the great army of the king, with the king himself at the head of it, *cum magno duce*, to lay siege to Gloucester. In the eleventh line the words *Pacata Thule est* mean that Scotland is in a state of peace, and occasions no fright or alarm to the neighbouring southern kingdom of England, or to its people, or its king, *nec Noto timor, popello aut regi*. And the twelfth line seems to mean that the only enemy that threatens the king's cause with ruin is the prayers of the puritan faction at London, who have lately run mad with religious zeal and enthusiasm.

don, if the king had marched thither instead of Gloucester.

But that storm of fortune was strong enough to shake off divers of the loose leaves that seemed to grow on the parliament side, and unsettle the resolutions of such as were not enough rooted in that cause which they had chosen: for divers men of great quality, and members of both houses, some lords, and many of the commons, did at that time desert the parliament and fly to Oxford: whose names (though the lords were named who first deserted it) are here spared, because this latter revolt must needs carry the face of a crime; as being no matter of opinion or conscience, by which the first justified themselves; but proceeding, in all probability, from weakness, and fear for their private fortunes. They therefore lost much of their esteem on both sides; becoming like a foil to set off the constancy of those few members who durst yet continue there, and remain firm to their first principles, and public interest, wading through more difficulties and dangers than any former parliament had been enforced to do.

But in the parliament itself there appeared no show of despair, as they observed who were then witnesses of their proceedings; and the city of London expressed much forwardness and alacrity in recruiting the lord-general Essex both with their persons and purses, besides their great endeavour to raise another army for sir William Waller, to be as a reserve to the other upon the great occasion then in hand.

The earl of Manchester, to his lasting honour, chose that very time to begin his martial employment; and raising forces through the eastern associated counties, (of which he was then made general by the parliament, those counties having been before prepared for that

association, by the wisdom and activity of the forementioned colonel Cromwell,) performed that year and the next great services for the parliament.

While the parliament and city of London were thus busied in recruiting their decayed armies, Gloucester began to be made the chief scene on which this civil tragedy was acted, and place of great concernment in the kingdom, where the first turn of fortune grew. The city of Gloucester was then governed by colonel Edward Massey, a man of excellent skill to defend it; of such a courage, as no threats of a powerful enemy could shake; and such a fidelity, as no promises of a king could overcome. This Massey was brought to Gloucester by the earl of Stamford, under whom he had served as lieutenant-colonel, and by deputation from that earl had for many months governed that city.

Now there was no more expectation of the earl's return thither; and therefore Massey, as the fittest man, by consent both of citizens and soldiers, was appointed governor, and made a colonel by commission from the general.

The surrender of Bristol to the king's forces (which was more sudden than could be feared, and for which afterward the governor master Fiennes was questioned, and condemned by a council of war) must needs strike a great terror and sad amazement into Gloucester, which now seemed to stand forlorn, and without hope of any rescue, in the midst of a large country, possessed by their victorious enemies.

It cannot be denied, that the resolution which this city had taken up, of resisting the king at such a time, was very admirable, if a man consider the small strength they had within, the many discouragements round about them, the great distance of any aid that could be sent

to them. Their strength within was very small; the whole number of soldiers, horse, foot, and dragoons, together with the trained bands, and those horse and dragoons which on a sudden they got from Barclay-castle, consisting of few more than fifteen hundred; forty barrels of powder was all their store, with a very mean and slender artillery for such a service: the works were of a vast compass, and little more than half perfected, when this rough storm did first threaten them.

The whole country round about them, instead of encouraging this resolution of theirs, did rather endeavour to shake and weaken it, by intimations of the danger, and persuasions to make peace with such an enemy: for they had revolted from the parliament, or resolved so to do; and wished, for their own private interests, that the king were quietly possessed of that city; for they conceived (not without reason) that the standing out of Gloucester would be unhappy for that country; because by the falling down of a great army they could not but expect a destruction of their corn, cattle, and all other provisions; and at the last, if it should so fall out, that the king should fail of taking in that town, they must be enforced to stoop perpetually under two burdens, and be cast into a sad condition of poverty and misery. Whereas if that army did prevail, they were sure to rest in the heart of the king's country, far from spoil and plunder, and for an easy contribution enjoy free and ample trade.

The succour which the city could expect was as far off as London; and in what condition the parliament armies then were is before related. Notwithstanding all this, the citizens of Gloucester, together with examining what strength they had, examined also the grounds of their perseverance. A common-council was

held, where the officers of the soldiery were present; their late protestation was called to remembrance, and read there; by which they were all obliged never to act or comply with the adverse faction. Upon which consideration they heightened their courages, and unanimously resolved to refuse the tender of peace. Private cares were then forgotten, and not only men, but women and children, acted their parts, in making up those defects that were in the fortifications.

In this condition stood Gloucester when the king in person, attended with a great and gallant army, full of the flower of English nobility and gentry, was come to besiege it, being the 10th of August, 1643.

Part of the king's forces, some days before, had been discerned hovering on the top of the hills; and a summons had been sent from prince Rupert to the city: to which the mayor gave answer, that he kept the town for his majesty's behoof, and could not render it. Which answer, though laughed at by those of the army, the mayor conceived very justifiable, and that he did truly hold it for the use of his majesty, but according to the sense of both houses of parliament.

The king was full of indignation that such a forlorn city should stand out against him; yet he desired to gain it without blood and loss of time, which seemed then precious in his full career of victory. To that purpose he came in person before it, that the reverence or terror of his presence might prevail with them; and being come before the city, he gave this honourable summons by two heralds of arms:

CHARLES REX.

Out of our tender compassion to our city of Gloucester, and that it may not receive prejudice by our army, which we cannot prevent if we be compelled to assault it; we are personally come before it, to require the same, and are graciously

pleased to let all the inhabitants of, and all other persons within that city, as well soldiers as others, know, that if they shall immediately submit themselves, and deliver this city to us, we are contented freely and absolutely to pardon every one of them without exception ; and do assure them in the word of a king, that they nor any of them shall receive the least damage or prejudice by our army in their persons or estates : but that we will appoint such a governor, and a moderate garrison, to reside there, as shall be both for the ease and security of that city and the whole country. But if they shall neglect this offer of grace and favour, and compel us by the power of our army to reduce that place, (which, by the help of God, we shall easily and shortly be able to do,) they must thank themselves for all the calamities and miseries which shall befall them. To this message we expect a clear and positive answer within two hours after the publishing hereof ; and by these presents do give leave to any persons safely to repair to and return from us, whom that city shall desire to employ unto us in that business. And we do require all the officers and soldiers of our army quietly to suffer them to pass accordingly.

After some debate upon this message, an answer was drawn and consented unto, both by the citizens and the soldiers ; which was presented to the king by sergeant-major Pudsey, and a citizen, as followeth :

We the inhabitants, magistrates, officers, and soldiers within this garrison of Gloucester, unto his majesty's gracious message return this humble answer, that we do keep this city, according to our oath and allegiance, to and for the use of his majesty and his royal posterity ; and do accordingly conceive ourselves wholly bound to obey the commands of his majesty signified by both houses of parliament ; }
and are resolved, by God's help, to keep this city accordingly.

The king received this answer to his summons without any expression of choler or indignation, seeming only to wonder at their great confidence, and from what hope of relief it should proceed, using these words be-

fore the messengers, *Waller is extinct, and Essex cannot come*. But by this time the king's army was drawn into the fields about Gloucester, prince Rupert and general Riven facing it on one side with about six thousand horse and foot, and two thousand horse on the other; and immediately after this answer advanced forward into the suburbs, on the east side of the city; but were there entertained with an hot skirmish, and fired out. For upon the return of the messengers, the suburbs were set on fire, and flaming round about became an object of great terror, by which the citizens seemed more engaged to pursue their resolution, and the king's army to settle themselves for gaining by force what they perceived would not be yielded on other terms.

That very night the king's army began their intrenchments within musket shot of the walls, on two sides of the city, taking advantage, for their security, of the shadow and shelter of some few houses which the flames had not caught. Which being perceived, the musketeers plied them from the walls, but could do little hurt so against the pioneers; which caused the besieged to make several sallies by small parties into those trenches, and at some places beat them out, gaining both arms and prisoners, and retreating safe.

Sir William Vavasor had advanced with his Welch forces on the west side, and made near approach that way, intending to join with other forces that came from Worcester, and had drawn themselves together on the north-west side. On the south side general Riven placed his leaguer, taking advantage of a rising ground in the midst, to shelter himself from the shot of the besieged. Sir Jacob Ashley, who in the first skirmishes had received a wound, was quartered with a strong brigade at the east side of the city.

Thus was Gloucester on all sides blocked up, and nothing expected but a most furious and bloody business. The king's commanders, being many of them gentlemen of great skill and experience of conduct, had made their approaches (by the confession of all) with as much advantage as could be, and placed their batteries accordingly; the soldiers on that side had showed themselves very swift and indefatigable in their intrenchments, and as bold in all attempts which they made upon the town. Nor were the besieged behind-hand in courage, patience, and activity; as appeared not only in their defences, but frequent sallies; the governor Massey being admired by his enemies for the great skill and dexterity which he showed upon all occasions: of which I shall discourse the more particularly and at large, by reason of the great importance of this famous siege, the condition of the whole kingdom depending so much upon the success of it.

Many strange and successful sallies were made by the besieged.

Three days after the siege was laid, an hundred and fifty musketeers, commanded by captain Gray, sallied over the works, upon the Worcester forces, with whom the Welch had not yet joined, fell into their quarters, marched up to their main guard, killed a captain with eight or nine common soldiers, took five prisoners, divers arms, burnt their guard, and retreated without the loss of any. Captain Mallery, with the like number of musketeers, within a day after, was commanded forth, to surprise some ordnance of their enemies, which were suspected to lie at a certain place; but finding none, retreated without loss, having killed some, taken a few prisoners, and fired part of their quarters. Within a week after, another party of an hundred and fifty musketeers, commanded by captain Crispe, sallied forth,

and fell into their enemies' trenches under the town wall, marched above half way through them, performed strangely, and killed above an hundred men, as was confessed by some of that side, and, by the help of the musketeers on the city walls, retreated safe, without the loss of any, only two wounded.

The besiegers proceeded with great skill and industry in making their batteries and undermining at several places; which labour of undermining at some places was made frustrate by water springs, and in others by the extreme hardness of rocky ground; and where the business was more feasible, the skill of the governor prevented them by countermining. Many granados were shot of great bigness from their mortar-pieces into the town, but guided by a strange hand of Providence into such by-places, that they did very little hurt. One thing is worthy the relating; when the Welch and Worcester forces of the king came up, and four pieces of ordnance were drawn a good distance before the place of their leaguer, and one of them planted for battery, a party of about four hundred musketeers, commanded by major Pudsey and captain Gray, assisted by captain Faulkner and captain Massey, sallied forth of one of the gates; meanwhile a lieutenant, with fifty musketeers, was sent over the works to give them an alarm, whilst the greater party got behind their cannon and breastworks, fell upon their main guard, slew many officers, two cannoneers, slew or mortally wounded about an hundred common soldiers, took a lieutenant, with four more prisoners, nailed their cannon, and retreated with the loss only of two slain and four taken prisoners.

Two sallies of such parties were not long after made, though not with the same success altogether, (by reason of some misguidance,) yet so much, as that they retreated

without any sensible loss; and were enough to amaze their enemies, that such small parties should run up to their headquarters, force their men, and be able in that manner to recover back. And it was observed, by those who well understood war, that it was a more than ordinary providence which did preserve and bring off those many several parties, when the vanquishing of any one of them must needs run the city into extreme hazard; whose whole strength remained upon the works day and night, except the reserve of an hundred and twenty men at the main guard. One rare and slender rank were to receive all the storm without seconds: yet it was the opinion of the best soldiers that the safety of the whole did require those frequent sallies, as the best remedies for so desperate a disease: which did not only retard their enemies' preparations, but put them into an amaze, that the besieged should continue in such an height of resolution; which resolution was to be kept up by the heat of action. And it was the governor's care to keep his enemies waking by continual alarms, to waste and weary them.

The king's army were still preparing for a general storm, and striving in the mean time to waste the magazine of the town, which they hoped would soon fail: they spent their own store, and daily acted to the terror of the besieged; shooting granados and fire-balls out of their mortar-pieces; and from one battery which they had planted shot in one night above twenty fiery bullets, which flew through the air like so many falling stars, some eighteen pound weight, others two and twenty; some of them passing through stables and hayricks, did, notwithstanding, by their swift motion, fail of kindling, and, which seemed strange, could not set one house on fire. Many mines and countermines were every day working with great industry on both

sides, the governor Massey striving to animate his men, and prevent the town's despairing, by showing the probability of a sudden relief, withal adding, that their so late yielding would not at all mollify the king's army. On the other side, the king seemed loath to invite them to yield solemnly by public summons, lest he should detract from the honour of his enterprise. Yet many dealt with them underhand, by advertisements of the king's displeasure, using also persuasions, and some intimations of the possibility of grace.

CHAPTER VI.

The expedition of the lord-general Essex for relief of Gloucester.

The great battle of Newbury described.

WHILST Gloucester was thus besieged, and the siege so strait that no intelligence could possibly arrive at it, the parliament, who, after serious considerations and debates, had for the present resolved upon the relief of that city, as the only means to preserve the kingdom, were as much straitened how to proceed in the business with that expedition which was required. To recruit an army so much wasted as the lord-general's was seemed too slow for this service; and therefore the trained bands of London, and their auxiliaries, must of necessity be made use of. Those that were well affected to the parliament encouraged each other to the work; the disaffected, on the other side, laboured in all discourses to breed despair of the achievement; and, to discourage the lord-general from marching, false reports were every day raised in London, that Gloucester was taken. The lord-general Essex was fourscore miles off, with no present or visible army at that time; his march lying through those countries

which were already harrowed by the enemy: insomuch that all considered it was a question which was more wonderful, that he undertook it, or that he did it. The parliament was at that time so far sunk, both in strength and reputation, and so much forsaken by those who followed fortune, that nothing but an extraordinary providence could make it again emergent. The cause and very being of it was now at stake, by the success only of this expedition to be redeemed or quite lost. But it pleased God, that, according to that extremity, the resolutions of men were fitted. The city regiments and auxiliaries came cheerfully in to perform the service; and that poor remainder of the lord-general's old army was with all speed recruited. An army was likewise intended to be speedily raised for sir William Waller to march after, as a reserve. But that was not so suddenly done as the occasion required; if it had, and that sir William could (as was intended) have come in with a supply at Newbury, it was the opinion of most men that the king's side had received an irrecoverable defeat.

On the 24th of August the lord-general Essex on Howslow-heath, ten miles from London, mustered his men; where almost all the members of both houses of parliament rode with him to survey the army; and toward evening took leave of their general, who marched on, and that night lodged at Colebrook.

Upon intelligence of this army's advance, prince Rupert, with the greatest part of the king's horse, drew off from Gloucester, to oppose their march, and take what advantages he could against it: but the king with his main army continued the siege, resolving so to do till the last hour; hoping that every moment might work somewhat for his end, either by failing of the town's store of ammunition, or some other want that

might happen. Neither was that hope without reason. And so much more wonderful was the fortune of that town to be relieved at such a nick of time, when their ammunition was so far consumed, that but three single barrels of powder were left in their magazine.

On Saturday the 26th of August, 1648, the lord-general Essex began his march from Colebrook to Beaconsfield, and so forward to Beerton, where he clothed his army, and marched on. The city regiments and auxiliaries joined not with the lord-general's army till the 1st of September, when the general rendezvous was on Brackley-heath. But before the joining of all their forces, a small party of the king's army, consisting of four hundred horse, had faced a part of the parliament army, and skirmished with them about Bicester, but soon retreated upon the approach of greater numbers. The general, taking up his head quarter at Aynho, sent a regiment to quarter that night at Deddington, under the conduct of colonel Middleton; who, hearing there of two regiments of the king's horse, sent two companies of dragoons, and a party of horse, to approach the town. But the king's horse retreated to a passage toward Oxford, where the lord Wilmot was with fifty troops more. The next morning two parliament regiments, conducted by Middleton and sir James Ramsey, advanced to that pass; where their enemies stood in two great bodies, and after some skirmish gained the pass, placing dragooners to maintain it. But the king's forces drew up again toward it, and were received with a very hot skirmish, which lasted many hours, till at last the king's forces made a retreat; but perceiving that colonel Middleton marched back toward the main army, (which he did by the lord-general's command,) they sent a party of horse to fall on his rear, who followed them through Deddington, but were beaten back

through the town in some confusion. The loss of men in these skirmishes was not much on either side; neither could it certainly be known, but was imagined by the parliament side to be more on their enemy's party than on theirs.

The lord-general with his own regiment of horse, and the lord Gray, quartering at Adderbury, upon intelligence that some of the king's horse from Banbury were abroad, sent out a party from both regiments, who beat them in again, and pursued them into Banbury town, whence they took divers horses and prisoners, those in the castle not daring to stir out. The general marched from thence to Chipping Norton, where some of the king's forces appeared again, but soon retreated, as they did almost every day during the march of that army.

On the 4th of September, when the lord-general marched toward Stow-on-the-Wold, he sent colonel Harvey, with his regiment of horse, and two regiments of foot, to advance a little before toward the right hand, and the city regiments upon the left, under the conduct of lieutenant-colonel Baily, general adjutant of the foot. Prince Rupert appeared with about four thousand horse, drawn up on the hills, facing the parliament forces, and sent a strong party of horse into a bottom near Stow-on-the-Wold, to encompass colonel Harvey's regiments. Which being perceived, three regiments from the van of the parliament army advanced to his rescue, and made that party of the king's forces retreat to their main body: many skirmishes there happened, but little loss on either side.

From thence the general marched in the front of his infantry, sir James Ramsey in the rear, and sir Philip Stapleton had the van guard; when the king's horse again appeared, and were by sir Philip Stapleton and

others of that army encountered with divers skirmishes; but they retreated in a great body, and still appeared before the parliament army, as they marched on, for the space of seven miles.

On the 5th of September the lord-general advanced, and came to Presbury hills; where he drew up his whole army in view of the city of Gloucester, and discharged four pieces of great ordnance, to give them notice of his approach. Soon after, he might discover the king's quarters on fire: for upon the lord-general's advance they deserted the siege, and marched away all night. The rear-guard of the lord-general's army, some ordnance and ammunition, stayed on the top of the hill, by reason of the steepness thereof, darkness of the night, and tempestuousness of the weather, whereby (besides a famine of victuals) the whole army had, for three days' march before, extremely suffered, through a country that their enemies had already destroyed. But the lord-general marched from thence to Cheltenham, though during his march the king's forces skirmished with some parts of his army, and divers times beat up his quarters whilst he stayed at Cheltenham, which was two days, till the 8th of September, when he marched with his whole army to Gloucester; and was there, with great expressions of joy and much honour, received by that long besieged and now rescued city; the general much extolling the skilful valour and indefatigable industry of colonel Massey, and praising the patient constancy of the city; they, on the other side, highly honouring his excellency for bringing them this relief, through so many difficulties, discouragements, and disadvantages; both joining in thanks to Almighty God for his divine providence over them, and great mercy in sending so timely a deliverance.

The lord-general lodged two nights in Gloucester, furnishing the city with ammunition, money, and other necessaries; and from thence marched to Tewkesbury, staying betwixt the king's forces and that garrison four days, to give them more time to furnish themselves better with provision of victual; which was to be brought from Herefordshire, and parts beyond the Severn, since the other parts had been before ransacked by the king's forces.

When the general with his whole army arose from Tewkesbury, and intended to quarter at Cheltenham, he was advertised that a body of the king's army were then in Cirencester, (which were reported to be prince Maurice's forces,) and had there laid in great store of provision for their army. Upon that advertisement the general, his want of victuals and necessaries still continuing, and miserably increasing upon his whole army, made a long march with the vanguard of his army to fall upon them, which he did about one of the clock in the night, sending in a party of horse to seize upon the sentinels and guards, whilst himself, with the rest of the horse, begirt the town; and a forlorn hope of foot, with his own foot regiment, entered the town, and surprised two regiments of horse (belonging to sir Nicholas Crispe and colonel Spencer) which were by the confession of some prisoners taken, intended for raising a commotion in Kent. The lord-general at that town of Cirencester took forty loads of victual, which, under God's providence, was the preservation of his army, until the day that the great battle of Newbury was fought. He took there likewise six standards, all the officers, except the two colonels, which were absent, with divers other gentlemen of quality; above three hundred common soldiers, and four hundred horse.

The general from Cirencester, in short marches, not

above five miles a day, went to Cricklade, and to Swindon, from thence intending to pass to Hungerford. But when the van and body of his army had marched almost all over Auburn Chase, a gallant body of the king's horse, consisting of about six thousand, approached hard to the rear-guard of his army; which, not being a sufficient number to resist them, endeavoured to make an orderly retreat to the body of their army. But the king's horse pursued so hotly both on rear and flank, that those horse regiments of the general's rear-guard could not retreat but with confusion, and some loss. But being come to the body of the foot, they were drawn up again into order, and faced their enemies, until all the foot were marched. Nevertheless the king's horse again advancing, put their enemies the second time into the like disorder; till some of the general's regiments, facing about towards them, charged the forlorn hope of the king's forces, consisting of five hundred horse, and put them wholly into disorder; and then charging the two regiments which seconded that forlorn hope, they routed them likewise; but the king's horse came on bravely with fresh bodies, and stopped their enemies' further pursuit. Immediately followed a brave charge, made by two of the parliament's regiments, which was encountered with as much gallantry on the other side, so that they both retreated at one time. Another charge was made by some regiments of the parliament army, and so answered by the other, that they were forced to retreat to their main body; at which time sir Philip Stapleton (who had the vanguard of the parliament army that day) came purposely back, and drew up his regiment to succour his friends, which caused the king's forces to retire altogether; and the night stopped any further proceedings.

On the king's party in these hot encounters were slain the marquis De Vieu Ville, with other officers of good quality, whose worth and valour appeared highly, though I find not their names recorded. Many common soldiers were there slain, and one lieutenant-colonel; two lieutenants and a cornet taken prisoners. On the parliament side were slain, of officers, captain Middleton and captain Hacket; divers officers were wounded; some common soldiers slain, and colonel Sheffield lost a standard. The lord-general Essex marched that night with his army to Hungerford, sir Philip Stapleton, who before had the van, bringing up the rear.

The next day the famous battle of Newbury was fought; which battle may deserve (because the condition of the whole kingdom so much depended on the success of it) to be related in a large and particular manner. But because I have found nothing written of it by those of the king's party, and that there was a punctual narrative published by some colonels of the parliament army, gentlemen of great and unstained reputation, concerning this battle; which narrative I have heard some of their enemies confess to be full, not only of modesty, but truth in the general, or for the most part; let the reader be pleased to take it from their relation. If any thing may hereafter appear of greater truth, it will not trouble any honest man to see it published. Neither is it a thing unheard of, for men to describe their own actions with impartial truth; since Julius Cæsar is acknowledged to have written his own Commentaries, not only of the Gallic but civil war, with so much clear integrity, that his enemies had nothing to blame in it. Take it therefore in their language.

On Tuesday, the 19th of September 1643, we marched from Hungerford towards Newbury; and when we ap-

proached within two miles of the town, we might discover the enemies' forces upon an hill; their whole army, having prevented us, were gotten to Newbury, and possessed the town. But the next morning, being Wednesday, by break of day, order was given for our march to an hill called Bigg's hill, near to Newbury, and the only convenient place for us to gain, that we might with better security force our passage. But when his excellency perceived that the enemies' forces had possessed themselves of that hill, marching himself upon the head of his own regiment, colonel Barclay's and colonel Holborne's brigades, he charged so fiercely, that he beat them from the hill, and kept it (rather gaining than losing ground) the whole day. His excellency's regiment, and those other brigades, all the while they continued there, were hotly charged by the enemies' horse and foot, whilst much prowess was showed on both sides. The general in person bestirred himself, giving directions wherever there was occasion, and, present in all places of danger, discharged the part of an excellent general, as the enemies themselves witnessed. But he considered not the danger of his person, whilst he laboured to maintain that place, which of all others was most advantageous for his prospect. By this time came up the two trained bands of London, who, though they were often charged by the horse and foot, stood to it with undaunted resolution.

The battle thus begun by the foot, sir Philip Stapleton, with his excellency's guard and regiment of horse, advanced upon the plain of the hill; when he had no sooner drawn up out of the lane's end, seconded by colonel Dalbeire's regiment of horse, (no other horse being advanced to the place,) but the enemy perceiving this advantage, being all drawn already in several great bodies of horse, part of them advanced immediately.

and charged our horse; whom we so well received, (giving no fire till we joined close with them,) that the enemy was wholly routed, and pursued with much execution near to the place where their whole body of horse stood. From thence, by order, we drew back to our first ground; by occasion whereof, opportunity was gained to bring up the remainder of our horse, which had the vanguard that day: whereupon the enemy drew out some fresh regiments of his horse, and with all possible speed advanced again upon sir Philip, but received no better entertainment than before, being again routed by him. By that time that he had drawn up his regiment again into some order, the other regiments (Ramsey, Harvey, Goodwin) were come up to him, when the enemy with their whole body charged upon them bravely, and were as well received. Sir Philip Stapleton was here charged both in front and flank, his whole regiment having spent both their pistols, and was so encompassed, that the enemy and ours, with both our whole bodies, were all mixed together; and in this confusion many were slain on both sides, and our men at last were forced towards the lane's end, where they first came in; which being near our foot, the enemies endeavoured to disengage themselves, and drew back to their own forces. Those that entered the lane with ours were most of them slain.

We took three colours of horse complete, and a piece of another colours. In the first charge colonel Dalbeire and commissary Copley, charging stoutly, were both wounded. In the third charge captain Hammond, captain Fleetwood, captain Pym, and cornet Doily, were all wounded. Captain Draper, who had a forlorn hope of sir Philip Stapleton's men, did good service; as captain Abercromby and captain Shibborne did with their dragoons. The left wing of our horse, commanded by

colonel Middleton, and the right wing of the enemies' horse, could not be engaged, but in small parties, by reason of the hedges.

The actions of our horse thus described wholly, (because we were loath to interrupt the series, for the reader's clearer understanding,) return we to the foot. Major general Skippon in the morning, when his excellency (as aforesaid) was engaged upon the hill, hastened to the top of the hill, where our vanguard was in fight; having before ordered the march of our train of artillery, and those that attended it, (which were the lord Roberts's brigade, and his own, sir William Springers, colonel Manwarings, and the red and blue auxiliary regiments,) to be near to his excellency. Looking from the hill toward Newbury, he perceived a great strength of the enemy, both horse and foot, in divers great bodies advancing directly toward the way which all our train was of necessity to march. To prevent therefore what he suspected, which was, that the enemy would fall upon our train, or upon the rear of those that fought on the hill, or gain that hill behind us, our last night's quarter, or all, he speedily disposed (which his excellency did also send him a command to do) forces in places most convenient: meanwhile the general sending for more foot, that brigade wherein his regiment and Springer's were, with the red auxiliaries, were sent up; placing the lord Roberts's brigade, with four small pieces, just where the enemy advanced, who gave them so warm an entertainment, that they made them run; and the lord Roberts possessed the ground which the enemy came first up unto: his lieutenant colonel was shot in the face.

That forlorn hope which he had commanded the night before being now strengthened with three hundred musketeers, and led by major Fortescue, major-general

Skippon placed on the left of the lord Roberts's brigade, upon the highway that came from Newbury just upon us; upon which way four drakes were likewise placed and well defended, though the enemies came up so close, that they took away a limmer of one of our pieces, but it was with loss of many of their lives.

Colonel Manwaring's regiment was placed on the right hand, between the hill and the lord Roberts's brigade. This regiment his excellency a while after commanded away, to the relief of his own regiment, colonel Barclay's, and colonel Holborne's brigades, which had been four hours upon very hot service. It fortun'd that this regiment was no sooner brought on, but they were overcharged with two great bodies of horse and foot, so that they were forced to retreat, and lose that ground which the forenamed forces had gotten; which colonel Holborne perceiving, with his brigade gave the enemy a round salvo, and instantly his own and colonel Barclay's brigades and the general's regiment again advancing, beat back the enemy, regained the ground, and made good the place all the day after.

The blue auxiliary regiment was commanded to relieve and assist the forlorn hope, which had been three or four times in their turns at the point. The fight all along the valley (more than half a mile in length) was continued as long as in any other part of the army, which was till ten o'clock at night; about which time the enemy gave a good round salvo upon colonel Barclay and colonel Holborne's posts. These things ordered, the major-general rode up to the top of the hill, where he espied an advantage to bestow eight or nine demi-culverin shot upon the enemy, who out of an house pelted the forenamed gentlemen at near distance. Then he rallied the two train-band regiments into one body, drew them up, and placed them before, where the train

of artillery did afterwards draw up to the top of the hill, and desired major Boteler to draw the musketeers of his regiment on the right hand before the two demi-culverins that were placed at the end of the lane on the top of the hill; and the red auxiliaries he placed on the left hand of those pieces, which before were slenderly guarded. The artillery was well ordered that day by the skill and care of sir John Merrick.

While this was acting, two pieces which belonged to the major-general's regiment, and one drake of sir William Brooke's, were, by the general's regiment, under the command of major Boteler, with the assistance of two hundred musketeers, recovered; and the enemy drew away from their pikes (which with their colours kept standing, with many great bodies of horse to guard them) five or six hundred musketeers, besides dragoons, to encompass our men on the right hand among the hedges; just at which time his excellency sent to have three hundred musketeers of the forlorn hope, to go to the relief of colonel Barclay and colonel Holborne's soldiers. But then the enemy falling on upon our right hand, diverted them, who, with other of our musketeers thereabouts, beat the enemy off, who else had done us great mischief. This was about four o'clock in the afternoon, when all our whole army of foot was engaged in the fight. But then he also caused some of the red auxiliary regiment to draw nearer to colonel Barclay's post, as he himself required. At length night drew on, when the enemy, both horse and foot, stood in good order on the further side of the green, where we expected their stay till next morning, and that they were working (as was reported) to place their cannon, to make use of them against us when day should break: against which supposed encounter we encouraged our soldiers beforehand, and resolved, by God's help, the

next day to force our way through them, or die. But it pleased God to make our passage without blows; for the enemy was gone by night; so that the next morning we marched quietly over the same ground where the battle was fought, and where the enemy stood; for, on Thursday early, his excellency gave command for the army's march towards Reading; to which purpose it was all drawn up upon the heath, where the battle was fought; and after that his excellency had given order for burying the dead, about ten o'clock we began to march. Colonel Middleton, with his own and three regiments more, (lord Grey, Sheffield, Meldrum,) and four hundred commanded musketeers under colonel Barclay, had the rear-guard: during which march, the enemy at a great distance shot from several hedges, but troubled us not. When we came to a long heath, we drew up the whole army several times, and no enemy appeared. But at the entrance of a narrow lane toward the evening, the enemy fell upon us with eight hundred commanded musketeers, and most of their horse, who caused our horse, then in the rear, to make a very disorderly and confused retreat. But when colonel Middleton, with the rest of the commanders in the rear, hasted to charge the enemy with our foot, he made them retreat with as much confusion over the heath as they had us before; the loss not great on either side. Lieutenant Browne was taken prisoner.

After this, the same evening, the lord-general drew up the army to Theal, and taking some refreshment there, marched the next morning, being Friday, with the whole army to Reading; where he stayed till the sabbath was past, and gave public thanks for the great victory.

This was a victory not denied to the parliament, nor at all disputed; although the lord-general Essex, for

want of victuals, marched away to the necessary relief of his army, and could not stay to pursue the victory which he had gotten. The number of slain in that battle were judged to be, by those who speak most moderately, four times as many of the king's party as of the parliament's; but others have spoken of a far greater difference. Divers captains, as captain Massy and captain Hunt, with others, were slain on the parliament side; but scarce any of higher rank. Three of the nobility fell on the king's side, the earl of Carnarvon, the lord Spencer, (newly made by the king earl of Sunderland,) and the lord viscount Falkland.

After this victory, the lord-general was received at London with great joy and honour. The trained bands and auxiliaries of London marched home in full companies, and were welcomed by their friends, and met by the lord mayor and aldermen at Temple-bar: and now the face of things seemed much to change, and the reputation of the parliament rise higher.

At the time of this expedition for relief of Gloucester a cessation of arms was made by the king with the Irish rebels; of which, together with the great victories which small numbers of the English forces obtained over great multitudes of those Irish rebels, before the time of that cessation, (which was here omitted, as not to interrupt the relation of proceedings in the English wars,) there may be a larger discourse in the continuation of this history; as also of the covenant which the parliament, and that part of the nation which adhered to them, about this time entered into with their brethren of Scotland, for maintenance of the religion, laws, and liberties of both kingdoms.

Here ends this full and faithful history of the first three years of this celebrated parliament (which has since been

generally called *The long parliament of king Charles the First*) by Mr. Thomas May. For though he here speaks of a continuation of it, as a work that he then designed speedily to enter upon, he never carried that design into execution. However, he afterwards published a more summary history of the whole civil war of England, down to the trial and execution of king Charles, in January 1648–9, about three years after the publication of the present history, to wit, in the year 1650, during the government of England and Ireland under the form of a commonwealth, or republic, without a king and house of lords, and before Oliver Cromwell had usurped the supreme authority by military force under the title of *lord protector*. This summary history was published, with the approbation of the parliament then sitting, under the authority of an imprimatur signed *Na. Brent*, and dated June 10, 1650, which was about a year before the author's death. It is written in a clear and easy style, and is full of judicious observations, and seems to be very faithful and impartial. The title of it as follows:

“A Breviary of the History of the Parliament of England; expressed in three parts: 1. The causes and beginning of the civil war of England; 2. A short mention of the progress of that civil war; 3. A compendious relation of the original and progress of the second civil war. Written by Thomas May, esq.”

The oldest edition I have seen of this Breviary of the history of this parliament was published in the year 1655. But I suppose there had been a former edition of it in the year 1650, which is the date of the imprimatur.

F. M.

FOR the further satisfaction of the readers of the foregoing valuable history of the first part of the celebrated long parliament of England, (from its beginning on the 3rd day of November 1640, to the 27th of September 1643,) by Mr. Thomas May, I shall here insert an Appendix to it, containing all the papers issued by the king and the parliament, from the time of the king's return from Scotland to London in November 1641, to the middle of the following month of March in the year 1641-2, when the king had retired from his usual residence at his palace at Whitehall in consequence of some tumults in the city of London, and was gone to Huntingdon in his way to the city of York, where he afterwards resided for some time, and began to raise soldiers as a guard to his person, which he declared he apprehended to be in danger: which measure was, in a few months after, followed by an open war between him and the parliament. The papers here republished form the first part of the large Collection (mentioned above in the note in page 197) which was published by Mr. Husbands in the year 1642-3; and they relate to the principal subjects of dispute in these unfortunate dissensions between the king and the parliament; and therefore will, as I conceive, be sufficient to gratify the curiosity of the greater part of the readers of this history. But they are followed in that Collection by a great body of other papers, which, on account of their great number, and the great length of many of them, I have not thought it necessary to reprint on this occasion, though they contain much important matter that may be interesting to very diligent inquirers into the foundations of our laws and government, Mr. Husbands' whole Collection extending to no fewer than 955 pages.

APPENDIX,
CONTAINING
ALL THE PAPERS IN HUSBANDS' COLLECTION,
FROM THE BEGINNING OF DECEMBER 1641
TO THE 16TH OF MARCH 1641-2.

His majesty's speech to both houses of parliament, Dec. 2, 1641.

MY LORDS AND GENTLEMEN,

I THINK it fit, after so long absence, at this first occasion, to speak a few words unto you ; but it is no ways in answer to master speaker's learned speech. Albeit I have stayed longer than I expected to have done when I went away, yet in this I have kept my promise with you, that I have made all the haste back again that the settling of my Scotch affairs could any ways permit : in which I have had so good success, that I will confidently affirm to you, that I have left that nation a most peaceable and contented people ; so that, although I have a little misreckoned in time, yet I was not deceived in my end.

But, if I have deceived your expectations a little in the time of my return, yet I am assured that my expectation is as much and more deceived in the condition wherein I hoped to have found business at my return. For, since that, before my going, I settled the liberties of my subjects, and gave the laws a free and orderly course, I expected to have found my people reaping the fruits of these benefits, by living in quietness and satisfaction of mind : but, instead of this, I find them disturbed with jealousies, frights, and alarms of dangerous designs and plots ; in consequence of which, guards have been set to defend both houses : I say not this as in doubt that my subjects' affections are any way lessened to me in this time of my ab-

sence ; (for I cannot but remember, to my great comfort, the joyful reception I had now at my entry into London ;) but rather as I hope that my presence will easily disperse these fears. For I bring as perfect and true affections to my people as ever prince did, or as good subjects can possibly desire. And I am so far from repenting me of any act I have done this session for the good of my people, that I protest, if it were to do again, I would do it, and will yet grant what else can be justly desired for satisfaction in point of liberties, or in maintenance of the true religion that is here established.

Now I have but one particular to recommend unto you at this time : it is Ireland : for which though I doubt not your care, yet methinks the preparations for it go but slowly on. The occasion is the fitter for me now to mention it, because of the arrival of two lords from Scotland, who come instructed from my council there, (who now, by act of parliament, have full power for that purpose,) to answer that demand which it pleased both houses to make me by way of petition, that met me at Berwick, and which the duke of Richmond sent back by my command to my Scotch council : therefore my desire is, that both houses would appoint a select committee, to end this business with these noblemen. I must conclude in telling you, that I seek my people's happiness ; for their flourishing is my greatest glory, and their affections my greatest strength.

By the king.

A proclamation for obedience to the laws ordained for establishing of the true religion in this kingdom of England.

His majesty, considering that it is a duty most beseeeming, and that most obligeth sovereign authority in a Christian king, to be careful (above all other things) of preserving and advancing the honour and service of Almighty God, and the peace and tranquillity of the church, (to which end his majesty, with his parliament, hath it under consideration how all just scruples might be removed,) and being, in the mean time, sensible that the present division, separation, and disorder about the worship and service of God, as it is established by the laws and statutes of this kingdom, in the church of England, tendeth to great distraction and confusion, and may

endanger the subversion of the very essence and substance of true religion, hath resolved, for the preservation of unity and peace, (which is most necessary at this time for the church of England,) to require obedience to the laws and statutes ordained for establishing of the true religion in this kingdom, whereby the honour of God may be advanced, to the great comfort and happiness both of his majesty and his good subjects.

His majesty doth therefore charge and command, that divine service be performed, in this his kingdom of England and dominion of Wales, as is appointed by the laws and statutes established in this realm, and that obedience be given by all his subjects, ecclesiastical and temporal, to the said laws and statutes concerning the same; and that all judges, officers, and ministers, ecclesiastical and temporal, according to justice and their respective duties, do put the said acts of parliament in due execution against all wilful contemners and disturbers of divine service, contrary to the said laws and statutes.

His majesty doth further command, that no parsons, vicars, or curates, in their several parishes, shall presume to introduce any rites or ceremonies other than those which are established by the laws and statutes of the land.

Given at his majesty's palace of Whitehall, the 10th day of December, in the seventeenth year of his majesty's reign.—*God save the king.*

By the king.

A proclamation for the attendance of the members in both houses of parliament.

His most excellent majesty, having summoned this present parliament in his princely care of the good and welfare of his loving subjects, in the continuance of the same care, doth, with advice of his privy-council, by this his royal proclamation, declare his royal will and pleasure to be, that all the members of both houses of parliament do repair to the parliament at Westminster at or before the 12th of January next, and give their due and diligent attendance in parliament: to the end that this kingdom may fully enjoy the

benefit and happiness which his majesty intendeth unto them by summoning and continuing of this parliament. And of this his majesty's will and command they are to take notice by this his proclamation, and to give a just observance thereunto, upon such pains and penalties as by law and justice may be inflicted upon them.

Given at his majesty's palace of Whitehall, the 12th day of December, in the seventeenth year of his majesty's reign.—*God save the king.*

His majesty's speech delivered to both houses in parliament, the 14th of December, 1641.

MY LORDS AND GENTLEMEN,

The last time that I was in this place, and the last thing that I recommended unto you was the business of Ireland; whereby I was in good hope that I should not have need again to put you in mind of that business. But, still seeing the slow proceedings therein, and the daily despatches that I have out of Ireland of the lamentable estate of my protestant subjects there, I cannot but again earnestly recommend the despatch of that expedition unto you: for it is the chief business that at this time I take to heart; and there cannot (almost) be any business that I can have more care of. I might now take up some of your time in expressing my detestation of rebellions in general, and of this in particular: but, knowing that deeds, and not declarations, must suppress this great insolency, I do here, in a word, offer you whatsoever my power, pains, or industry can contribute to this good and necessary work of reducing the Irish nation to their true and wonted obedience.

And, that nothing may be omitted on my part, I must here take notice of the bill for pressing of soldiers, now depending among you, my lords; concerning which I here declare, that, in case it come so to me as it may not infringe or diminish my prerogative, I will pass it: and, further, seeing there is a dispute raised (I being little beholding to him whosoever at this time began it) concerning the bounds of this ancient and undoubted prerogative, to avoid further debate at this time, I offer, that the bill may pass with a *salvo jure*, both for king

and people, leaving such debates to a time that may better bear it. If this be not accepted, the fault is not mine that this bill pass not, but [of] those that refuse so fair an offer.

To conclude, I conjure you by all that is or can be dear to you or me, that, laying away all disputes, you go on cheerfully and speedily for the reducing of Ireland.

To the king's most excellent majesty.

The humble petition of the lords and commons in parliament, concerning his majesty's speech of the 14th of Dec. 1641.

MOST GRACIOUS SOVEREIGN,

Your majesty's most humble and loyal subjects, the lords and commons in parliament, do, with all faithfulness and zeal to your majesty's service, acknowledge your royal favour and protection to be a great blessing and security to them for the enjoying and preserving of all those public and private liberties and privileges which belong unto them; and whensoever any of those liberties or privileges shall be invaded or broken, they hold themselves bound, with humility and confidence, to resort to your princely justice for redress and satisfaction. And because the rights and privileges of parliament are the birthright and inheritance, not only of themselves, but of the whole kingdom, wherein every one of your subjects is interested; the maintenance and preservation whereof doth very highly conduce to the public peace and prosperity of your majesty and all your people; they conceive themselves more especially obliged, with all humbleness and care, yea, with all earnestness and constancy of resolution and endeavour, to maintain and defend the same. Amongst other the privileges of parliament, they do, with all dutiful reverence to your most excellent majesty, declare, that it is their ancient and undoubted right, that your majesty ought not to take notice of any matter in agitation and debate in either [of the] houses of parliament, but by their information and agreement; and that your majesty ought not to propound any condition, provision, or limitation, to any bill or act in debate or preparation in either house of parliament; or to manifest or declare your consent or dissent, approbation or dislike of the same, before it be presented to your majesty in due course of par-

liament: and that every particular member of either house hath free liberty of speech to propound or debate, any matter according to the order and course of parliament: and that your majesty ought not to conceive displeasure against any man for such opinions and propositions as shall be delivered in such debate, it belonging to the several houses of parliament respectively to judge and determine such errors and offences in words or actions as shall be committed by any their members in the handling or debating any matters depending.

They do further declare, that all the privileges above mentioned have been lately broken, to the great sorrow and grievance of your most humble and faithful subjects, in that speech which your majesty made in parliament to both houses, upon Tuesday last, the 14th of this present month of December, in that your majesty did therein take notice of a bill for impressing of soldiers being in agitation in the said houses, and not agreed upon: and that your majesty did therein offer a *salvo jure*, or provisional clause, to be added to that bill before it was presented to your majesty by the consent of both houses, and did at the same time declare your displeasure against such persons as had moved some doubt or question concerning the same bill. All which they do affirm and declare to be against the ancient, lawful, and undoubted privileges and liberties of parliament.

And therefore they most humbly beseech your majesty, by your royal power and authority, to maintain and protect them in these and all other the privileges of your high court of parliament, [and] that you will not, for the time to come, break or interrupt the same. And that none of your loyal subjects may suffer or sustain any prejudice in your majesty's favour or good opinion for any thing done or spoken in parliament. And, for the reparation of your loyal subjects in this their just grievance and complaint, for the breaches of their privileges above mentioned, and prevention of the like for the time to come, that your majesty will be pleased to declare and make known the name or names of the person or persons by whose mis-formation [misinformation] and evil counsel your majesty was induced to the same; that so he or they may receive such condign punishment as shall appertain to justice in that behalf.

And this they most humbly desire, and as your greatest and most faithful council shall advise your majesty to perform, as that which will be not only a comfort to themselves, but likewise a great advantage to your majesty, by procuring and confirming such a confidence and unity betwixt your majesty and your people, as may be a foundation of honour, safety, and happiness to your person and throne, as they stand bound always to pray for and endeavour.

The petition of the house of commons, which accompanied the declaration of the state of the kingdom when it was presented to his majesty at Hampton-court.

MOST GRACIOUS SOVEREIGN,

Your majesty's most humble and faithful subjects, the commoners in this present parliament assembled, do, with much thankfulness and joy, acknowledge the great mercy and favour of God, in giving your majesty a safe and peaceable return out of Scotland into your kingdom of England, where the pressing dangers and distempers of the state have caused us with much earnestness to desire the comfort of your gracious presence, and likewise the unity and justice of your royal authority, to give more life and power to the dutiful and loyal counsels and endeavours of your parliament, for the prevention of that eminent ruin and destruction wherein your kingdoms of England and Scotland are threatened. The duty which we owe to your majesty and our country cannot but make us very sensible and apprehensive, that the multiplicity, sharpness, and malignity of those evils under which we have now many years suffered, are fomented and cherished by a corrupt and ill-affected party, who, amongst other their mischievous devices for the alteration of religion and government, have sought, by many false scandals and imputations, cunningly insinuated and dispersed amongst the people, to blemish and disgrace our proceedings in this parliament, and to get themselves a party and faction amongst your subjects, for the better strengthening of themselves in their wicked courses, and hindering those provisions and remedies which might, by the wisdom of your majesty and counsel of your parliament, be opposed against them.

For preventing whereof, and the better information of your majesty, your peers, and all other your loyal subjects, we have been necessitated to make a declaration of the state of the kingdom, both before and since the assembly of this parliament, unto this time; which we do humbly present to your majesty without the least intention to lay any blemish upon your royal person, but only to represent how your royal authority and trust have been abused, to the great prejudice and danger of your majesty and all your good subjects.

And because we have reason to believe that those malignant parties, whose proceedings evidently appear to be mainly for the advantage and increase of popery, are composed, set up, and acted by the subtle practice of the Jesuits, and other engineers and factors for Rome, and, to the great danger of this kingdom and most grievous affliction of your loyal subjects, have so far prevailed as to corrupt divers of your bishops, and others in prime places of the church, and also to bring divers of these instruments to be of your privy council, and other employments of trust and nearness about your majesty, the prince, and the rest of your royal children: and, by this means, have had such an operation in your council, and the most important affairs and proceedings of your government, that a most dangerous division and chargeable preparation for war betwixt your kingdoms of England and Scotland, the increase of jealousies betwixt your majesty and your most obedient subjects, the violent distraction and interruption of this parliament, the insurrection of the papists in your kingdom of Ireland, and bloody massacre of your people, have been not only endeavoured and attempted, but in a great measure compassed and effected:

For preventing the final accomplishment whereof, your poor subjects are enforced to engage their persons and estates to the maintaining of a very expensive and dangerous war, notwithstanding they have already, since the beginning of this parliament, undergone the charge of 150,000*l.* sterling, or thereabouts, for the necessary support and supply of your majesty in these present and perilous designs. And because all our most faithful endeavours and engagements will be ineffectual for the peace, safety, and preservation of your ma-

jeesty and your people, if some present, real, and effectual course be not taken for suppressing this wicked and malignant party ;

We, your most humble and obedient subjects, do, with all faithfulness and humility, beseech your majesty ;

1. That you will be graciously pleased to concur with the humble desires of your people in a parliamentary way, for the preserving the peace and safety of the kingdom from the malicious designs of the popish party.

For depriving the bishops of their votes in parliament, and abridging their immoderate power, usurped over the clergy and other your good subjects, which they have most perniciously abused, to the hazard of religion, and great prejudice and oppression of the laws of the kingdom, and just liberty of your people.

For the taking away such oppressions in religion, church government, and discipline, as have been brought in and fomented by them.

For uniting all such your loyal subjects together as join in the same fundamental truths against the papists, by removing some oppressions and unnecessary ceremonies, by which divers weak consciences have been scrupled, and seem to be divided from the rest ; for the due execution of those good laws which have been made for securing the liberty of your subjects.

2. That your majesty will likewise be pleased to remove from your council all such as persist to favour and promote any of those pressures and corruptions wherewith your people have been grieved ; and that for the future your majesty will vouchsafe to employ such persons in your great and public affairs, and to take such to be near you in places of trust, as your parliament may have cause to confide in ; that, in your princely goodness to your people, you will reject and refuse all mediation and solicitation to the contrary, how powerful and near soever.

3. That you will be pleased to forbear to alienate any of the forfeited and escheated lands in Ireland which shall accrue to your crown by reason of this rebellion ; that out of them the crown may be the better supported, and some satisfaction made to your subjects of this kingdom for the great expenses they are like to undergo this war.

Which humble desires of ours being graciously fulfilled by your majesty, we will, by the blessing and favour of God, most cheerfully undergo the hazard and expenses of this war, and apply ourselves to such other courses and counsels as may support your royal estate with honour and plenty at home, with power and reputation abroad, and, by our loyal affections, obedience, and service, lay a sure and lasting foundation of the greatness and prosperity of your majesty and your royal posterity in future times.

A remonstrance of the state of the kingdom.

Die Mercurii, 15 Decemb. 1641.

The commons in this present parliament assembled, having with much earnestness and faithfulness of affection, and zeal to the public good of this kingdom and his majesty's honour and service, for the space of twelve months, wrestled with the great dangers and fears, the pressing miseries and calamities, the various distempers and disorders, which had not only assaulted, but even overwhelmed and extinguished, the liberty, peace, and prosperity of this kingdom, the comfort and hopes of all his majesty's good subjects, and exceedingly weakened and undermined the foundation and strength of his own royal throne; do yet find an abounding malignity and opposition in those parties and factions who have been the cause of those evils, and do still labour to cast aspersions upon that which hath been done, and to raise many difficulties for the hinderance of that which remains yet undone, and to foment jealousies betwixt the king and the parliament; that so they may deprive him and his people of the fruit of his own gracious intentions, and their humble desires of procuring the public peace, safety, and happiness of this realm. For the preventing of those miserable effects, which such malicious endeavours may produce, we have thought good to declare,

1. The root and the growth of these mischievous designs.
2. The maturity and ripeness to which they had attained before the beginning of the parliament.
3. The effectual means which hath been used for the extirpations of those dangerous evils, and the progress which hath

therein been made by his majesty's goodness and the wisdom of the parliament.

4. The ways of obstruction and opposition by which that progress hath been interrupted.

5. The courses to be taken for the removing those obstacles, and for the accomplishing of our most dutiful and faithful intentions and endeavours, of restoring and establishing the ancient honour, greatness, and security of this crown and nation.

The root of all this mischief we find to be a malignant and pernicious design of subverting the fundamental laws and principles of government, upon which the religion and justice of this kingdom are firmly established. The actors and promoters hereof have been,

1. The Jesuited papists, who hate the laws, as the obstacles of that change and subversion of religion which they so much long for.

2. The bishops, and the corrupt part of the clergy, who cherish formality and superstition, as the natural effects and more probable supports of their own ecclesiastical tyranny and usurpation.

3. Such counsellors and courtiers as, for private ends, have engaged themselves to further the interests of some foreign princes or states, to the prejudice of his majesty and the state at home.

The common principles by which they moulded and governed all their particular counsels and actions were these :

First, to maintain continual differences and discontents betwixt the king and the people upon questions of prerogative and liberty; that so they might have the advantage of siding, with him, and, under the notion of men addicted to his service, gain to themselves and their parties the places of greatest trust and power in the kingdom.

A second, to suppress the purity and power of religion, and such as were best affected to it; as being contrary to their own ends, and the greatest impediment to that change which they thought to introduce.

A third, to conjoin those parties of the kingdom which were most propitious to their own ends, and to divide those who were most opposite, which consisted in many particular obser-

vations ; to cherish the Arminian part in those points wherein they agree with the papists ; to multiply and enlarge the difference between the common protestants and those whom they call puritans ; to introduce and countenance such opinions and ceremonies as are fittest for accommodation with popery ; to increase and maintain ignorance, looseness, and profaneness in the people : that of those three parties, papists, Arminians, and libertines, they might compose a body fit to act such counsels and resolutions as were most conducive to their own ends.

A fourth, to disaffect the king to parliaments by slanders and false imputations, and by putting him upon other ways of supply, which, in show and appearance, were fuller of advantage than the ordinary course of subsidies, though in truth they brought more loss than gain both to the king and people, and have caused the distractions under which we both suffer.

As in all compounded bodies, the operations are qualified according to the predominant element ; so in this mixed party, the Jesuited counsels, being most active and prevailing, may easily be discovered to have had the greatest sway in all their determinations, and, if they be not prevented, are likely to devour the rest, or to turn them into their own nature.

In the beginning of his majesty's reign, the party began to revive and flourish again, having been somewhat damped by the breach with Spain in the last year of king James, and by his majesty's marriage with France ; the interests and counsels of that state being not so contrary to the good of religion and the prosperity of this kingdom as those of Spain ; and the papists of England, having been ever more addicted to Spain than France : yet they still retained a purpose and resolution to weaken the protestant parties in all parts, and even in France, whereby to make way for the change of religion which they intended at home.

The first effect and evidence of their recovery and strength was the dissolution of the parliament at Oxford, after there had been given two subsidies to his majesty, and before they received relief in any one grievance : many other more miserable effects followed.

The loss of the Rochelle fleet, by the help of our shipping, set forth and delivered over to the French, in opposition to the advice of parliament: which left that town without defence by sea, and made way not only to the loss of that important place, but likewise to the loss of all the strength and security of the protestant religion in France.

The diverting of his majesty's course of wars from the West Indies, (which was the most facile and hopeful way for this kingdom to prevail against the Spaniard,) to an expensful and successless attempt upon Cales; which was so ordered as if it had rather been intended to make us weary of war than to prosper in it.

The precipitate breach which [with] France, by taking their ships to a great value, without making recompense to the English, whose goods were thereupon imbarred and confiscate in that kingdom.

The peace with Spain without consent of parliament, contrary to the promise of king James to both houses; whereby the palatine cause was deserted, and left to chargeable and hopeless treaties; which, for the most part, were managed by those who might justly be suspected to be no friends to that cause.

The charging of the kingdom with billeted soldiers in all parts of it, and that concomitant design of German horse, that the land might either submit with fear or be enforced with rigour to such arbitrary contributions as should be required of them.

The dissolving of the parliament in the second year of his majesty's reign, after a declaration of their intent to grant five subsidies.

The exacting of the like proportion of five subsidies, after the parliament dissolved, by commission of loan, and divers gentlemen, and others, imprisoned for not yielding to pay that loan; whereby many of them contracted such sicknesses as cost them their lives. Great sums of money required and raised by privy-seals. An unjust and pernicious attempt to extort great payments from the subject by way of excise, and a commission issued under seal to that purpose. The petition of right (which was granted in full parliament) blasted with an illegal declaration, to make it destructive to

itself, to the power of parliament, and to the liberty of the subject, and to that purpose printed with it; and the petition made of no use, but to show the bold and presumptuous injustice of such ministers as durst break the laws and suppress the liberties of the kingdom, after they had been so solemnly and evidently declared.

Another parliament dissolved, 4 Car., the privilege of parliament broken by imprisoning divers members of the house, detaining them close prisoners for many months together, without the liberty of using books, pen, ink, or paper, denying them all the comforts of life, all means of preservation of health, not permitting their wives to come unto them even in time of their sickness. And, for the completing of that cruelty, after years spent in such miserable durance, depriving them of the necessary means of spiritual consolation; not suffering them to go abroad to enjoy God's ordinances in God's house, or God's ministers to come to them, to administer comfort unto them in their private chambers: and, to keep them still in this oppressed condition, not admitting them to be bailed according to law, yet vexing them with informations in inferior courts, sentencing and fining some of them for matters done in parliament, and extorting the payments of those fines from them, enforcing others to put in security of good behaviour, before they could be released.

The imprisonment of the rest, which refused to be bound, still continued; which might have been perpetual, if necessity had not, the last year, brought another parliament to relieve them; of whom, one^a died, by the cruelty and harshness of his imprisonment, which would admit of no relaxation, notwithstanding the imminent danger of his life did sufficiently appear by the declaration of his physician, and his release, or at least his refreshment, was sought by many humble petitions. And his blood still cries either for vengeance or repentance of those ministers of state, who are at once obstructors of the course both of his majesty's justice and mercy.

Upon the dissolution of both these parliaments, untrue and scandalous declarations published, to asperse their proceedings, and some of their members, unjustly, to make them

^a Sir John Elliot. See above, p. 14.

odious, and colour the violence which was used against them. Proclamation set out to the same purpose ; and, to the great dejecting of the hearts of the people, forbidding them even to speak of parliaments.

After the breach of the parliament, in the fourth year of his majesty, injustice, oppression, and violence, broke in upon us without any restraint or moderation. And yet the first project was the great sums exacted through the whole kingdom for default of knighthood, which seemed to have some colour and shadow of a law : yet, if it be rightly examined by that obsolete law which was pretended for it, it would be found to be against all the rules of justice, both in respect of the persons charged, the proportion of the fines demanded, and the absurd and unreasonable manner of their proceedings. Tonnage and poundage hath been received without colour or pretence of law ; many other heavy impositions continued against law ; and some so unreasonable, that the sum of the charge exceeds the value of the goods. The book of rates lately enhanced to a high proportion ; and such merchants as would not submit to their illegal and unreasonable payments were vexed and oppressed above measure, and the ordinary course of justice, the common birthright of the subject of England, wholly obstructed unto them. And although all this was taken upon pretence of guarding the sea, yet a new and unheard of tax of shipmoney was devised upon the same pretence. By both which, there was charged upon the subject near 700,000*l.* some years ; and yet the merchants have been left so naked to the violence of the Turkish pirates, that many great ships of value, and thousands of his majesty's subjects, have been taken by them, and do still remain in miserable slavery.

The enlargement of forests, contrary to *charta de foresta* and the composition thereupon. The exactions of coat and conduct money, and divers other military charges. The taking away the arms of the trained bands of divers counties. The desperate design of engrossing all the gunpowder into one hand ; keeping it in the Tower of London, and setting so high a rate upon it that the poorer sort were not able to buy it ; nor could any have it without license ; thereby to leave the several parts of the kingdom destitute of their necessary

defence; and, by selling so dear that which was sold, to make an unlawful advantage of it, to the great charge and detriment of the subject, the general destruction of the king's timber, especially that in the forest of Dean, sold to papists, which was the best storehouse of this kingdom, for the maintenance of our shipping. The taking away of men's right, under colour of the king's title to land between high and low water marks. The monopolies of soap, salt, wine, leather, seacoal, and, in a manner, of all things of most common and necessary use. The restraint of the liberties of the subjects in their habitation, trades, and other interest. Their vexation and oppression by purveyors, clerks of the market, and salt-petremen. The sale of pretended nuisances, as buildings in and about London, conversion of arable into pasture, continuance of pasture, under the name of depopulation, have drawn many millions out of the subjects' purses, without any considerable profit to his majesty. Large quantities of common, and several grounds, have been taken from the subject, by colour of the statute of improvement, and by abuse of the commission of sewers, without their consent, and against it. And not only private interest, but also public faith have been broken, in seizing of the money and bullion in the mint; and the whole kingdom like to be robbed at once, in that abominable project of brass money. Great numbers of his majesty's subjects, for refusing those unlawful charges, have been vexed with long and expensive suits; some fined and censured, others committed to long and hard imprisonments and confinements, to the loss of health of many, of life in some; and others have had their houses broken up, their goods seized; some have been restrained from their lawful callings: ships have been interrupted in their voyages, surprised at sea in an hostile manner by projectors, as by a common enemy: merchants prohibited to unlade their goods in such ports as were for their own advantage, and forced to bring them to those places which were most for the advantages of the monopolizers and projectors. The court of star-chamber hath abounded in extravagant censures, not only for the maintenance and improvement of monopolies, and other unlawful taxes; but for divers other causes, where there hath been no offence, or very small; whereby his majesty's subjects

have been oppressed by grievous fines, imprisonments, stigmatizings, mutilations, whippings, pillories, gags, confinements, banishments, after so rigid a manner as hath not only deprived men of the society of their friends, exercise of their professions, comfort of books, use of paper or ink, but even violated that near union which God hath established betwixt men and their wives, by forced and constrained separation; whereby they have been bereaved of the comfort and conversation one of another, for many years together without hope of relief; if God had not, by his overruling Providence, given some interruption to the prevailing power and counsel of those who were the authors and promoters of such peremptory and heady courses.

Judges have been put out of their places for refusing to do against their oaths and consciences: others have been so awed, that they durst not do their duties, and, the better to hold a rod over them, the clause *Quam diu se bene gesserit* was left out of their patents, and a new clause, *Durante bene placito*, inserted. Lawyers have been checked for being faithful to their clients; solicitors and attorneys have been threatened, and some punished for following lawful suits: and by this means all the approaches to justice were interrupted and forecluded. New oaths have been forced upon the subject against law; new judicatories erected without law: the council-table have, by their orders, offered to bind the subjects in their freeholds, estates, suits, and actions. The pretended court of the earl marshal was arbitrary, and illegal in its being and proceedings. The chancery, exchequer-chamber, court of wards, and other English courts have been grievous in exceeding their jurisdictions. The estate of many families weakened, and some ruined, by excessive fines, exacted from them for compositions of wardships. All leases of above a hundred years made to draw on wardship contrary to law. Undue proceedings used in the finding of offices, to make the jury find for the king. The common law courts, seeing all men more inclined to seek justice there, where it may be fitted to their own desire, are known frequently to forsake the rules of the common law, and, straining beyond their bounds, under pretence of equity, to do injustice. Titles of honour, judicial places, sergeantships-at-law,

and other offices, have been sold for great sums of money; whereby the common justice of the kingdom hath been much endangered, not only by opening a way of employment, in places of great trust and advantage, to men of weak parts, but also by giving occasion to bribery, extortion, and partiality; it seldom happening that places ill gotten are well used. Commissions have been granted for examining the excess of fees: and, when great exactions have been discovered compositions have been made with delinquents, not only for the time past, but likewise for immunity and security in offending for the time to come; which, under colour of remedy, hath but confirmed and increased the grievance to the subject. The usual course of pricking sheriffs not observed, but many times sheriffs made in an extraordinary way; sometimes as a punishment and charge unto them; sometimes such were pricked out as would be instruments to execute whatsoever they would have to be done.

The bishops and the rest of the clergy did triumph in the suspensions, excommunications, deprivations, and degradations of divers painful, learned, and pious ministers, in the vexation and grievous oppression of great numbers of his majesty's good subjects. The high commission grew to such excess of sharpness and severity as was not much less than the Romish inquisition; and yet in many cases, by the archbishop's power, was made much more heavy, being assisted and strengthened by authority of the council-table.

The bishops and their courts were as eager in the country; and, although their jurisdiction could not reach so high in rigour and extremity of punishment, yet were they no less grievous, in respect of the generality and multiplicity of vexations, which, lighting upon the meaner sort of tradesmen and artificers, did impoverish many thousands, and so afflict and trouble others, that great numbers, to avoid their miseries, departed out of the kingdom, some into New England and other parts of America, others into Holland, where they have transported their manufactures of cloth; which is not only a loss, by diminishing the present stock of the kingdom, but a great mischief, by impairing and endangering the loss of that peculiar trade of clothing, which hath been a plentiful fountain of wealth and honour to this nation. Those

were fittest for ecclesiastical preferment, and soonest obtained, who were most officious in promoting superstition, most virulent in railing against godliness and honesty.

The most public and solemn sermons before his majesty were, either to advance prerogative above law, and decry the property of the subject, or full of such kind of invectives whereby they might make those odious who sought to maintain the religion, laws, and liberties of the kingdom; and such men were sure to be weeded out of the commission of the peace, and out of all other employments of power in the government of the country. Many noble personages were councillors in name; but the power and authority remained in a few of such as were most addicted to this party; whose resolutions and determinations were brought to the table for countenance and execution, and not for debate and deliberation; and no man could offer to oppose them, without disgrace and hazard to himself: nay all those that did not wholly concur and actively contribute to the furtherance of their designs, (though otherwise persons of never so great honour and abilities,) were so far from being employed in any place of trust and power, that they were neglected, discountenanced, and, upon all occasions, injured and oppressed. This faction was grown to that height and entireness of power, that now they began to think of finishing their work, which consisted of these three parts:

1. The government must be set free from all restraint of laws, concerning our persons and estates.

2. There must be a conjunction betwixt papists and protestants in doctrine, discipline, and ceremonies; only it must not yet be called popery.

3. The puritans (under which name they include all those that desire to preserve the laws and liberties of the kingdom, and to maintain religion in the power of it) must be either rooted out of the kingdom with force, or driven out with fear. For the effecting of this it was thought necessary to reduce Scotland to such popish superstitions and innovations as might make them apt to join with England in that great change which was intended. Whereupon new canons and a new liturgy were pressed upon them; and when they refused

to admit of them, an army was raised to force them to it, towards which the clergy and the papists were very forward in their contribution. The Scots likewise raised an army for their defence; and when both armies were come together, and ready for a bloody encounter, his majesty's own gracious disposition and the counsel of the English nobility, and dutiful submission of the Scots, did so far prevail against the evil counsel of others, that a pacification was made, and his majesty returned with peace and much honour to London.

The unexpected reconciliation was most acceptable to all the kingdom, except to the malignant party, whereof the archbishop and the earl of Strafford being heads, they and their faction begun to inveigh against the peace, and to aggravate the proceeding of the States, which so incensed his majesty that he forthwith prepared again for war. And such was their confidence, that, having corrupted and distempered the whole frame and government of the kingdom, they did now hope to corrupt that which was the only means to restore all to a right frame and temper again: to which end they persuaded his majesty to call a parliament, not to seek counsel and advice of them, but to draw countenance and supply from them, and engage the whole kingdom in their quarrel: and, in the mean time, continued all their unjust levies of money, resolving either to make the parliament pliant to their will, and to establish mischief by a law, or else to break it; and with more colour to go on by violence, to take what they could not obtain by consent. The ground alleged for the justification of this war was this.

That the undutiful demands of the parliament of Scotland was a sufficient reason for his majesty to take arms against them, without hearing the reason of those demands; and thereupon a new army was prepared against them, their ships were seized in all ports, both of England and Ireland, and at sea; their petitions rejected, their commissioners refused audience. This whole kingdom most miserably distempered with levies of men and money, and imprisonments of those who denied to submit to those levies. The earl of Strafford passed into Ireland, caused the parliament there to declare against the Scots, to give four subsidies towards that

war, and to engage themselves, their lives and fortunes, for the prosecution of it; and gave directions for an army of eight thousand foot and one thousand horse to be levied there, which were for the most part papists. The parliament met upon the 13th of April one thousand six hundred and forty. The earl of Strafford and archbishop of Canterbury, with their party, so prevailed with his majesty, that the house of commons was pressed to yield to a supply for maintenance of the war with Scotland before they had provided any relief for the great and pressing grievances of the people, which, being against the fundamental privilege and proceeding of parliament, was yet, in humble respect to his majesty, so far admitted as that they agreed to take the matter of supply into consideration, and two several days it was debated. Twelve subsidies were demanded for the release of shipmoney alone; a third day was appointed for conclusion, when the heads of that party began to fear the people might close with the king in satisfying his desire for money; but that, withal, they were likely to blast their malicious designs against Scotland, finding them very much disposed to give any countenance to that war.

Thereupon they wickedly advised the king to break off the parliament, and to return to the ways of confusion, in which their own evil intentions were most like to prosper and succeed.

After the parliament ended the 5th of May, one thousand six hundred and forty, this party grew so bold as to counsel the king to supply himself out of his subjects' estates by his own power, at his own will, without their consent. The very next day, some members of both houses had their studies and cabinets, yea their pockets, searched: another of them, not long after, was committed close prisoner, for not delivering some petitions which he received by authority of that house, and, if harsher courses were intended, (as was reported,) it is very probable that the sickness of the earl of Strafford, and the tumultuous rising in Southwark, and about Lambeth, were the causes that such violent intentions were not brought to execution. A false and scandalous declaration against the house of commons was published in his majesty's name,

which yet wrought little effect with the people, but only to manifest the impudence of those who were authors of it.

A forced loan of money was attempted in the city of London.

The lord mayor and aldermen, in their several wards, enjoined to bring in a list of the names of such persons as they judged fit to lend, and of the sum they should lend. And such aldermen as refused so to do were committed to prison.

The archbishop and the other bishops and clergy continued the convocation, and, by a new commission, turned it to a provincial synod, in which, by an unheard-of presumption, they made canons that contain in them many matters contrary to the king's prerogative, to the fundamental laws and statutes of the realm, to the right of parliaments, to the property and liberty of the subject, and matters tending to sedition, and of dangerous consequence, thereby establishing their own usurpations, justifying their altar-worship, and those other superstitious innovations, which they formerly introduced without warrant of law.

They imposed a new oath upon divers of his majesty's subjects, both ecclesiastical and lay, for maintenance of their own tyranny; and laid a great tax upon the clergy for supply of his majesty; and generally they showed themselves very affectionate to the war with Scotland, which was by some of them styled *bellum episcopale*; and a prayer composed, and enjoined to be read in all churches, calling the Scots *rebels*, to put the two nations into blood, and make them irreconcilable. All those pretended canons and constitutions were armed with the several censures of suspension, excommunication, deprivation, by which they would have thrust out all the good ministers, and most of the well-affected people of the kingdom, and left an easy passage to their own design of reconciliation with Rome. The popish party enjoined such exemptions from the penal laws as amounted to a toleration, besides many other encouragements and court favours: they had a secretary of state, sir Francis Windibank, a powerful agent for the speeding of all their desires; a pope's nuncio residing here, to act and govern them according to

such influences as he received from Rome, and to intercede for them with the most powerful concurrence of the foreign princes of that religion. By his authority the papists of all sorts, nobility, gentry, and clergy, were convocated after the manner of a parliament; new jurisdictions were erected of Romish archbishops, taxes levied, another state moulded within this state, independent in government, contrary in interest and affection, secretly corrupting the ignorant or negligent professors of our religion, and closely uniting and combining themselves against such as were sound, in this posture waiting for an opportunity by force to destroy those whom they could not hope to seduce. For the effecting whereof, they were strengthened with arms and munition, encouraged by superstitious prayers, enjoined by the nuncio to be weekly made for the prosperity of some great design. And such power had they at court, that secretly a commission was issued out, intending to be issued to some great men of that profession for the levying of soldiers, and to command and employ them according to private instructions, which, we doubt, were framed for the advantage of those who were the contrivers of them: his majesty's treasure was consumed, his revenue anticipated, his servants and officers compelled to lend great sums of money; multitudes were called to the council-table, who were tired with long attendances there, for refusing illegal payments. The prisons were filled with their commitments; many of the sheriffs summoned into the star-chamber, and some imprisoned for not being quick enough in levying the shipmoney; the people languished under grief and fear, no visible hope being left, but in desperation. The nobility began to be weary of their silence and patience, and sensible of the duty and trust which belongs to them: and thereupon some of the most eminent of them did petition his majesty at such a time, when evil counsels were so strong that they had reason to expect more hazard to themselves than redress of those public evils for which they interceded. Whilst the kingdom was in this agitation and distemper, the Scots, restrained in their trades, impoverished by the loss of many of their ships, bereaved of all possibility of satisfying his majesty by any naked supplication, entered with a powerful army into the kingdom, and, without any hostile act

or spoil in the country as they passed, more than forcing a passage over the Tyne at Newborn near Newcastle,) possessed themselves of Newcastle, and had a fair opportunity to press on further upon the king's army: but duty and reverence to his majesty, and brotherly love to the English nation, made them stay there; whereby the king had leisure to entertain better counsels; wherein God so blessed and directed him, that he summoned the great council of peers to meet at York, upon the 24th of September, and there declared a parliament to begin the 3rd of November then following. The Scots, the first day of the great council, presented an humble petition to his majesty; whereupon the treaty was appointed at Rippon, a present cessation of arms agreed upon, and the full conclusion of all differences referred to the wisdom and care of the parliament. At our first meeting all oppositions seemed to vanish; the mischiefs were so evident, which those evil counsellors produced, that no man durst stand up to defend them. Yet the work itself afforded difficulty enough. The multiplied evils and corruption of sixteen years, strengthened by custom and authority, and the concurrent interest of many powerful delinquents, were now to be brought to judgment and reformation. The king's household was to be provided for; they had brought him to that want that he could not supply his ordinary and necessary expenses without the assistance of his people. Two armies were to be paid, which amounted very near to 80,000*l.* a month; the people were to be tenderly charged, having been formerly exhausted with many burdensome projects.

The difficulties seemed to be insuperable which by the Divine Providence we have overcome. The contrarieties incompatible, which yet in a great measure we have reconciled. Six subsidies have been granted, and a bill of poll money, which, if it be duly levied, may equal six subsidies more; in all 600,000*l.* Besides, we have contracted a debt to the Scots of 220,000*l.*; and yet God has so blessed the endeavours of this parliament, that the kingdom is a great gainer by all these charges. The shipmoney is abolished, which cost the kingdom above 200,000*l.* a year. The coat and conduct money, and other military charges, are taken away, which in many countries amounted to little less than the shipmoney.

The monopolies are all suppressed, whereof some few did prejudice the subject above a million yearly. The soap an 100,000*l.*; the wine 300,000*l.*; the leather must needs exceed both: and salt could be no less than that; besides the inferior monopolies, which, if they could be exactly computed, would make up a great sum. That which is more beneficial than all this is, that the root of these evils is taken away; which was the arbitrary power, pretended to be in his majesty, of taxing the subject, or charging their estates, without consent in parliament, which is now declared to be against law, by the judgment of both houses, and likewise by an act of parliament. Another step of great advantage is this: the living grievances, the evil counsellors and actors of these mischiefs, have been so quelled, by the justice done upon the earl of Strafford, the flight of the lord Finch and secretary Windibank, the accusation and imprisonment of the archbishop of Canterbury, of judge Bartlet, and the impeachment of divers other bishops and judges, that it is like not only to be an ease to the present times, but a preservation to the future.

The discontinuance of parliaments is prevented by the bill for a triennial parliament, and the abrupt dissolution of this parliament by another bill; by which it is provided, it shall not be dissolved or adjourned without the consent of both houses.

Which two laws, well considered, may be thought more advantageous than all the former; because they secure a full operation of the present remedy, and afford a perpetual spring of remedies for the future.

The starchamber, the high commission, the courts of the president and council in the north, were so many forges of misery, oppression, and violence; and are all taken away: whereby men are more secured in their persons, liberties, and estates, than they could be by any law or example for the regulation of those courts or terror of the judges.

The immoderate power of the council-table, and the excessive abuse of that power, is so ordered and restrained, that we may well hope that no such things as were frequently done by them, to the prejudice of the public liberty, will appear in future times but only in stories, to give us and our

posterity more occasion to praise God for his majesty's goodness, and the faithful endeavours of this parliament. The canons and the power of canon making are blasted by the vote of both houses.

The exorbitant power of bishops and their courts are much abated, by some provisions in the bill against the high commission court. The authors of the many innovations in doctrine and ceremonies, the ministers that have been scandalous in their lives, have been so terrified in just complaints and accusations, that we may well hope they will be more modest for the time to come ; either inwardly convicted by the sight of their own folly, or outwardly restrained by the fear of punishment.

The forests are, by a good law, reduced to their right bounds ; the encroachments and oppressions of the stannary courts, the extortions of the clerk of the market, and the compulsion of the subject to receive the order of knighthood against his will, paying of fines for not receiving it, and the vexatious proceedings thereupon for levying of those fines, are by other beneficial laws reformed and prevented.

Many excellent laws and provisions are in preparation for removing the inordinate power, vexation, and usurpation of bishops ; for reforming the pride and idleness of many of the clergy ; for easing the people of unnecessary ceremonies in religion ; for censuring and removing unworthy and unprofitable ministers ; and for maintaining godly and diligent preachers through the kingdom.

Other things of main importance for the good of this kingdom are in proposition, though little could hitherto be done in regard of the many other more pressing businesses ; which yet, before the end of this session, we hope may receive some progress and perfection.

The establishing and ordering the king's revenue, that so the abuse of officers, and superfluity of expenses, may be cut off, and the necessary disbursements for his majesty's honour, and the defence and government of the kingdom, may be more certainly provided for.

The regulating of courts of justice, and abridging both the delays and charges of lawsuits ; the settling of some good courses for preventing the exportation of gold and silver, and

the inequality of exchanges betwixt us and other nations ; for the advancing of native commodities, the increase of our manufactures, and well balancing of trade, whereby the stock of the kingdom may be increased, or, at least, kept from impairing, as, through neglect hereof, it hath done for many years last past : for improving the herring fishing upon our own coasts ; which will be of mighty use in the employment of the poor, and a plentiful nursery of mariners for enabling the kingdom in any great action.

The oppositions, obstructions, and other difficulties wherewith we have been encountered, and which still lie in our way, with some strength and much obstinacy, are these : the malignant party, whom we have formerly described to be the actors and promoters of all our misery, they have taken heart again ; they have been able to prefer some of their own factors and agents to degrees of honour, to places of trust and employment, even during the parliament. They have endeavoured to work in his majesty ill impressions and opinions of our proceedings, as if we had altogether done our own work and not his, and had obtained from him many things very prejudicial to the crown, both in respect of prerogative and profit. To wipe out this slander, we think good only to say thus much ; that all that we have done is for his majesty, his greatness, honour, and support : when we yield to give 25,000*l.* a month for the relief of the northern countries, this was given to the king : for he was bound to protect his subjects. They were his majesty's evil counsellors, and their ill instruments, that were actors in those grievances which brought in the Scots : and if his majesty please to force those who were the authors of this war to make satisfaction, (as he might justly and easily do,) it seems very reasonable that the people might well be excused from taking upon them this burden, being altogether innocent and free from being any causes of it.

When we undertook the charge of the army, which cost above 50,000*l.* a month, was not this given to the king ? was it not his majesty's army ? were not all the commanders under contract with his majesty at higher rates and greater wages than ordinary ? and have not we taken upon us to dis-

charge all the brotherly assistance of 300,000*l.* which we gave the Scots? was it not toward the repair of those damages and losses which they received from the king's ships, and from his ministers? These three particulars amount to above 1,100,000*l.* Besides, his majesty hath received, by impositions upon merchandise, at least 400,000*l.*; so that his majesty hath had out of the subjects' purse, since the parliament began, 1,500,000*l.*: and yet these men can be so impudent as to tell his majesty that we have done nothing for him. As to the second branch of this slander, we acknowledge, with much thankfulness, that his majesty hath passed more good bills to the advantage of his subjects than have been in many ages; but, withal, we cannot forget, that these venomous counsels did manifest themselves in some endeavours to hinder these good acts: and, for both houses of parliament, we may with truth and modesty say thus much: that we have ever been careful not to desire any thing that should weaken the crown, either in just profit or useful power. The triennial parliament, for the matter of it, doth not extend to so much as by law we ought to have required, there being two statutes still in force for a parliament to be once a year; and for the manner of it, it is in the king's power that it shall never take effect, if he, by a timely summons, shall prevent any other way of assembling. In the bill for continuance of this present parliament there seems to be some restraint of the royal power in dissolving of parliaments; not to take it out of the crown, but to suspend the execution of it for this time and occasion only; which was so necessary for the king's own security, and the public peace, that without it we could not have undertaken any of these great charges, but must have left both the armies to disorder and confusion, and the whole kingdom to blood and rapine. The starchamber was much more fruitful in oppression than in profit, the great fines being for the most part given away, and the rest stalled at long times. The fines of the high commission were in themselves unjust, and seldom or never came into the king's purse. These four bills are particularly and more specially instanced: in the rest there will not be found so much as a shadow of prejudice to the crown.

They have sought to diminish our reputation with the people, and to bring them out of love with parliaments: the aspersions which they have attempted this way have been such as these: That we have spent much time, and done little, especially in those grievances which concern religion: That the parliament is a burden to the kingdom by the abundance of protections, which hinder justice and trade, and by many subsidies granted, much more heavy than any they formerly endured. To which there is a ready answer: If the time spent in this parliament be considered in relation backward to the long growth and deep root of those grievances which we have removed, to the powerful supports of those delinquents which we have pursued, to the great necessities and other charges of the commonwealth, for which we have provided: or, if it be considered in relation forward to many advantages, which not only the present, but future ages are like to reap by the good laws and other proceedings in this parliament; we doubt not but it will be thought, by all indifferent judgments, that our time hath been much better employed than in a far greater proportion of time in many former parliaments put together; and the charges which have been laid upon the subject, and the other inconveniences which they have borne, will seem very light in respect of the benefit they have and may receive. And for to the matter of protections, the parliament is so sensible of it, that therein they intend to give them whatsoever ease may stand with honour and justice, and are in a way of passing a bill to give them satisfaction.

They have sought, by many subtle practices, to cause jealousies and divisions betwixt us and our brethren of Scotland, by slandering their proceedings and intentions towards us, and by secret endeavours to instigate and incense them and us one against another. They have had such a party of bishops and popish lords in the house of peers as hath caused much opposition and delay in the prosecution of delinquents, [and] hindered the proceedings of divers good bills passed in the commons' house concerning the reformation of sundry great abuses and corruptions both in church and state.

They have laboured to seduce and corrupt some of the

commons' house, to draw them into conspiracies and combinations against the liberty of the parliament ; and, by their instruments and agents, they have attempted to disaffect and discontent his majesty's army, and to engage it for the maintenance of their wicked and traitorous designs, the keeping up of bishops in votes and functions, and, by force, to compel the parliament to order, limit, and dispose their proceedings in such manuer as might best concur with the intentions of this dangerous and potent faction: and when one mischievous design and attempt of theirs, to bring on the army against the parliament and the city of London, had been discovered and prevented, they presently undertook another of the same damnable nature, with this addition to it, to endeavour to make the Scottish army neutral, whilst the English army, which they had laboured to corrupt and envenom against us by their false and slanderous suggestions, should execute their malice, to the subversion of our religion and the dissolution of our government.

Thus they have been continually practising to disturb the peace, and plotting the destruction, even of all the king's dominions, and have employed their emissaries and agents in them, all for the promoting of their devilish designs ; which the vigilancy of those who were well-affected hath still discovered and defeated before they were ripe for execution in England and Scotland : only in Ireland, (which was further off,) they have had time and opportunity to mould and prepare their work, and had brought it to that perfection, that they had possessed themselves of that whole kingdom, totally subverted the government of it, rooted out religion, and destroyed all the protestants, whom the conscience of their duty to God, their king, and country, would not have permitted to join with them, if, by God's wonderful providence, their main enterprise upon the city and castle of Dublin had not been detected and prevented upon the very eve before it should have been executed. Notwithstanding, they have, in other parts of that kingdom, broken out into open rebellion, surprising towns and castles, committed murders, rapes, and other villanies ; and shaken off all bonds of obedience to his majesty and the laws of the realm ; and, in

general, have kindled such a fire as nothing but God's infinite blessing upon the wisdom and endeavours of this state will be able to quench. And certainly, had not God, in his great mercy unto this land, discovered and confounded their former designs, we had been the prologue to this tragedy in Ireland, and had by this time been made the lamentable spectacle of misery and confusion.

And, now, what hope have we but in God, whenas the only means of our subsistence, and power of reformation, is, under him, in the parliament? But what can we, the commons, without the conjunction of the house of lords? and what conjunction can we expect there, when the bishops and recusant lords are so numerous and prevalent, that they are able to cross and interrupt our best endeavours for reformation, and, by that means, give advantage to this malignant party to traduce our proceedings? They infuse into the people that we mean to abolish all church-government, and leave every man to his own fancy for the service and worship of God, absolving him of that obedience which he owes, under God, unto his majesty, whom we know to be intrusted with the ecclesiastical law as well as with the temporal, to regulate all the members of the church of England by such rules of order and discipline as are established by parliament, which is his great council, in all affairs both in church and state. We confess our intention is, and our endeavours have been, to reduce within bounds that exorbitant power which the prelates have assumed unto themselves, so contrary both to the word of God and to the laws of the land; to which end we passed the bill for the removing them from their temporal power and employments; that so the better they might with meekness apply themselves to the discharge of their functions; which bill themselves opposed, and were the principal instruments of crossing it.

And we do here declare, that it is far from our purpose or desire to let loose the golden reins of discipline and government in the church, to leave private persons or particular congregations to take up what form of divine service they please; for we hold it requisite that there should be, throughout the whole realm, a conformity to that order which the

laws enjoin, according to the word of God. And we desire to unburden the consciences of men of needless and superstitious ceremonies, to suppress innovations, and take away the monuments of idolatry. And, the better to effect the intended reformation, we desire there may be a general synod of the most grave, pious, learned, and judicious divines of this island, assisted by some from foreign parts professing the same religion with us ; who may consider of all things necessary for the peace and good government of the church, and represent the results of their consultations unto the parliament, to be there allowed of and confirmed, and receive the stamp of authority, thereby to find passage and obedience throughout the kingdom.

They have maliciously charged us, that we intend to destroy and discourage learning ; whereas it is our chiefest care and desire to advance it, and to provide a competent maintenance for conscionable and preaching ministers throughout the kingdom ; which will be a great encouragement to scholars, and a certain means whereby the want, meanness, and ignorance, to which a great part of the clergy is now subject, will be prevented. And we intend likewise to reform and purge the fountains of learning, the two universities ; that the streams flowing from thence may be clear and pure, and an honour and comfort to the whole land.

They have strained to blast our proceedings in parliament by wresting the interpretations of our orders from their genuine intention. They tell the people that our meddling with the power of episcopacy hath caused sectaries and conventicles ; when idolatry and popish ceremonies, introduced into the church by the command of the bishops, have not only debarred the people from thence, but expelled them from the kingdom. Thus, with Eliah, we are called, by this malignant party, the troublers of the state ; and still, while we endeavour to reform their abuses, they make us the authors of those mischiefs we study to prevent.

For the perfecting of the work begun, and removing all future impediments, we conceive these courses will be very effectual ; seeing the religion of the papists hath such principles as do certainly tend to the destruction and extirpation

of all protestants, when they shall have opportunity to effect it.

It is necessary, in the first place, to keep them in such condition as that they may not be able to do us any hurt, and for avoiding of such connivance and favour as hath heretofore been showed unto them, that his majesty be pleased to grant a standing commission to some choice men named in parliament, who may take notice of their increase, their counsels, and proceedings, and use all due means, by execution of the laws, to prevent any mischievous designs against the peace and safety of this kingdom; that some good course be taken to discover the counterfeit and false conformity of papists to the church, by colour whereof persons very much disaffected to the true religion have been admitted into places of greatest authority and trust in the kingdom.

For the better preservation of the laws and liberties of the kingdom, that all illegal grievances and exactions be presented and punished at the sessions and assizes; and that judges and justices be careful to give this in charge to the grand jury, and both the sheriff and justices to be sworn to the due execution of the petition of right, and other laws: that his majesty be humbly petitioned by both houses to employ such counsellors, ambassadors, and other ministers, in managing his business at home and abroad, as the parliament may have cause to confide in, without which we cannot give his majesty such supplies for support of his own estate, nor such assistance to the protestant party beyond the sea, as is desired.

It may often fall out, that the commons may have just cause to take exceptions at some men for being counsellors, and yet not charge those men with crimes: for there be grounds of diffidence which lie not in proof: there are others which, though they may be proved, yet are not legally criminal. To be a known favourer of papists; or to have been very forward in defending or countenancing some great offenders questioned in parliament; or to speak contemptuously of either houses of parliament or parliamentary proceedings; or such as are factors, or agents, for any foreign prince of another religion; such as are justly suspected to get counsellors' places, or any other of trust, concerning public em-

ployment, for money. For all these, and divers others, we may have great reason to be earnest with his majesty not to put his great affairs into such hands, though we may be unwilling to proceed against them in any legal way of charge or impeachment.

That all counsellors of state may be sworn to observe those laws which concern the subject in his liberty ; that they may likewise take an oath not to receive or give reward or pension from any foreign prince, but such as they, within some reasonable time, discover to the lords of his majesty's council : and, although they should wickedly forswear themselves, yet it may herein do good to make them known to be false and perjured to those who employ them, and thereby bring them into as little credit with them as with us.

That his majesty may have cause to be in love with good counsel and good men, by showing him, in an humble and dutiful manner, how full of advantage it would be to himself to see his own estate settled in a plentiful condition to support his honour ; to see his people united in ways of duty to him, and endeavours of the public good ; to see happiness, wealth, peace and safety, derived to his own kingdom, and procured to his allies, by the influence of his own power and government.

That all good courses may be taken to unite the two kingdoms of England and Scotland to be mutually aiding and assisting one another, for the common good of the island, and honour of both.

To take away all differences amongst ourselves for matters indifferent in their own nature concerning religion, and to unite ourselves against the common enemies, which are the better enabled by our divisions to destroy us all, as they hope and have often endeavoured.

To labour by all offices of friendship to unite the foreign churches with us in the same cause, and to seek their liberty, safety, and prosperity ; as bound thereunto both by charity to them and by wisdom for our own good. For by this means our own strength shall be increased, and, by a mutual concurrence to the same common end, we shall be enabled to procure the good of the whole body of the protestant profession.

If these things may be observed, we doubt not but God will crown this parliament with such success as shall be the beginning and foundation of more honour and happiness to his majesty than ever yet was enjoyed by any of his royal predecessors.

[End of the grand remonstrance, or declaration of the state of the kingdom, from the beginning of the reign of king Charles the First to December 1641, by the house of commons. Presented to the king at Hampton-court.]

His majesty's answer to the petition which accompanied the declaration presented to him at Hampton-court, Dec. 1, 1641.

We, having received from you, soon after our return out of Scotland, a long petition, consisting of many desires of great moment, together with a declaration of a very unusual nature annexed thereunto; we have taken some time to consider of it, as befitted us in a matter of that consequence, being confident that your own reason and regard to us, as well as our express intimation by our comptroller to that purpose, would have restrained you from the publishing of it, till such time as you should have received our answer to it. But, much against our expectation, finding the contrary, that the said declaration is already abroad in print, by directions from your house, as appears by the printed copy, we must let you know that we are very sensible [of this] disrespect. Notwithstanding, it is our intention, that no failing on your part shall make us fail on ours, of giving all due satisfaction to the desires of our people, in a parliamentary way; and therefore we send you this answer to your petition; reserving ourself, in point of the declaration, which we think unparliamentary, and shall take a course to do that which we shall think fit in prudence and honour.

To the petition, we say, that, although there are divers things in the preamble of it which we are so far from admitting, that we profess we cannot at all understand them, as, "of a wicked and malignant party prevalent in the government;" "of some of that party admitted to our privy-council, and to other employments of trust and nearest to us and our children;" "of endeavours to sow among the people false

scandals and imputations to blemish and disgrace the proceedings of the parliament ;” all or any of which did we know of, we should be as ready to remedy and punish, as you to complain of. That the prayers of your petition are grounded upon such premises as we must in no wise admit ; yet, notwithstanding, we are pleased to give this answer to you :

To the first, concerning religion, consisting of several branches, we say, that for the preserving the peace and safety of the kingdom from the designs of the popish party, we have, and will still concur with all the just desires of our people in a parliamentary way ; that for the depriving of the bishops of their votes in parliament, we would have you consider, that their right is grounded upon the fundamental law of the kingdom and constitution of parliament. This we would have you consider : but, since you desire our concurrence herein in a parliamentary way, we will give no further answer at this time.

As for the abridging of the inordinate power of the clergy, we conceive that the taking away of the high commission court hath well moderated that : but, if there continue any usurpations or excesses in their jurisdictions, we therein neither have nor will protect them.

Unto that clause which concerneth corruptions (as you style them) in religion, in church government, and in discipline, and the removing of such unnecessary ceremonies as weak consciences might check at ; [we answer] that, for any illegal innovations which may have crept in, we shall willingly concur in the removal of them. And, if our parliament shall advise us to call a national synod, which may duly examine such ceremonies as give just cause of offence to any, we shall take it into consideration, and apply ourself to give due satisfaction therein. But we are very sorry to hear, in such general terms, corruption in religion objected ; since we are persuaded in our conscience, that no church can be found upon the earth that professeth the true religion with more purity of doctrine than the church of England doth, nor where the government and discipline are jointly more beautified, and free from superstition, than as they are here established by law, which (by the grace of God) we will with constancy maintain (while we live) in their purity and glory, not only

against all invasions of popery, but also from the irreverence of those many schismatics and separatists, wherewith of late this kingdom and this city abounds, to the great dishonour and hazard both of church and state ; for the suppression of whom we require your timely and active assistance.

To the second prayer of the petition, concerning the removal and choice of counsellors, we know not any of our council to whom the character set forth in the petition can belong : that, by those whom we had exposed to trial, we have already given you sufficient testimony, that there is no man so near unto us in place or affection whom we will not leave to the justice of the law, if you shall bring a particular charge and sufficient proofs against him : and of this we do again assure you. But, in the mean time, we wish you to forbear such general aspersions as may reflect upon all our council, since you name none in particular.

That, for the choice of our counsellors, and ministers of state, it were to debar us that natural liberty all freemen have ; and [as] it is the undoubted right of the crown of England to call such persons to our secret councils, to public employment, and our particular service, as we shall think fit, so we are, and ever shall be, very careful to make election of such persons in those places of trust as shall have given good testimonies of their abilities and integrity, and against whom there can be no just cause of exception whereon reasonably to ground a diffidence : and to choices of this nature, we assure you that the mediation of the nearest unto us hath always concurred.

To the third prayer of your petition, concerning Ireland, we understand your desire of not alienating the forfeited lands thereof to proceed from your much care and love, and, likewise, that it may be a resolution very fit for us to take. But whether it be seasonable to declare resolutions of that nature before the events of a war be seen, that we much doubt of. Howsoever, we cannot but thank you for this care, and your cheerful engagement for the suppression of that rebellion ; upon the speedy effecting thereof the glory of God in the protestant profession, the safety of the British there, our honour, and that of the nation, so

much depend. All the interests of this kingdom being so involved in that business, we cannot but quicken your affections therein, and shall desire you to frame your counsels, and to give such expedition to the work, as the nature thereof, and the pressure in point of time requires, and whereof you are put in mind by the daily insolence and increase of those rebels.

For conclusion, your promise to apply yourselves to such courses as may support our royal estate with honour and plenty at home, and with power and reputation abroad, is that which we have ever promised ourself, both from your loyalties and affections, and also for what we have already done, and shall daily go adding unto, for the comfort and happiness of our people.

His majesty's declaration to all his loving subjects.

Published with the advice of his privy-council.

Although we do not believe that our house of commons intended, by their remonstrance of the state of the kingdom, to put us to any apology, either for our past or present actions, notwithstanding, since they have thought it so very necessary (upon their observation of the present distemper) to publish the same for the satisfaction of all our loving subjects, we have thought it very suitable to the duty of our place (with which God hath trusted us) to do our part to so good a work ; in which we shall not think it below our kingly dignity to descend to any particular which may compose and settle the affections of our meanest subjects, since we are so conscious to ourself of such upright intentions and endeavours, and only of such, (for which we give God thanks,) for the peace and happiness of our kingdom, (in which the prosperity of our subjects must be included,) that we wish from our heart that even our most secret thoughts were published to their view and examination ; though we must confess we cannot but be very sorry, in this conjuncture of time, (when the unhappiness of this kingdom is so generally understood abroad,) there should be such a necessity of publishing so many particulars ;

from which we pray no inconveniences may ensue that were not intended.

We shall in few words pass over that part of the narrative wherein the misfortunes of this kingdom, from our first entering to the crown to the beginning of this parliament, are remembered in so sensible expressions, and that other, which acknowledgeth the many good laws passed by our grace and favour this parliament for the security of our people : of which we shall only say thus much, that, as we have not refused to pass any bill presented to us by our parliament, for redress of those grievances mentioned in the remonstrance, so we have not had a greater motive for the passing those laws than our own resolution (grounded upon our observation and understanding of the state of our kingdom) to have freed our subjects, for the future, from those pressures which were grievous to them, if those laws had not been propounded : which therefore we shall as inviolably maintain as we look to have our own rights preserved ; not doubting but all our loving subjects will look on those remedies with that full gratitude and affection, that even the memory of what they have formerly undergone, by the accidents and necessities of those times, will not be unpleasant to them. And possibly, in a pious sense of God's blessing upon this nation, (how little share soever we shall have of the acknowledgment,) they will confess they have enjoyed a great measure of happiness (even in these last sixteen years) both in peace and plenty, not only comparatively in respect of their neighbours, but even of those times which were justly accounted fortunate.

The fears and jealousies which may make some impression in the minds of our people we will suppose may be of two sorts, either for religion or liberty, and their civil interests. The fears for religion may haply be, not only as ours, here established, may be invaded by the Romish party, but as it is accompanied with some ceremonies, at which some tender consciences really are, or pretend to be, scandalized : for of any other, which have been used without any legal warrant or injunction, and already are or speedily may be abolished, we shall not speak.

Concerning religion, as there may be any suspicion of favour or inclination to the papists, we are willing to declare

to all the world, that, as we have been from our childhood brought up in and practised the religion now established in this kingdom; so it is well known we have (not contented simply with the principles of our education) given a good proportion of our time and pains to the examination of the grounds of this religion, as it is different from that of Rome, and are, from our soul, so fully satisfied and assured that it is the most pure and agreeable to the sacred word of God of any religion now practised in the Christian world, that, as we believe we can maintain the same by unanswerable reasons, so we hope we should readily seal to it by the effusion of our blood, if it pleased God to call us to that sacrifice. And therefore nothing can be so acceptable unto us as any proposition which may contribute to the advancement of it here, or the propagation of it abroad, being the only means to draw down a blessing from God upon ourselves and this nation. And we have been extremely unfortunate if this profession of ours be wanting to our people, our constant practice in our own person having always been (without ostentation) as much to the evidence of our care and duty herein as we could possibly tell how to express.

For differences amongst ourselves for matters indifferent in their own nature, concerning religion, we shall, in tenderness to any number of our loving subjects, very willingly comply with the advice of our parliament, that some law may be made for the exemption of tender consciences from punishment or prosecution for such ceremonies and in such cases, which, by the judgment of most men, are held to be matters indifferent, and, of some, to be absolutely unlawful, provided, that this ease be attempted and pursued with that modesty, temper, and submission, that in the mean time the peace and quiet of the kingdom be not disturbed, the decency and comeliness of God's service discountenanced, nor the pious, sober, and devout actions of those reverend persons who were the first labourers in the blessed reformation, or of that time, be scandaled and defamed. For we cannot, without grief of heart, and without some tax upon ourself and our ministers, for the non-execution of our laws, look upon the bold license of some men, in printing of pamphlets, in preaching and printing of sermons, so full of bitterness and malice against

the present government, against the laws established, so full of sedition against ourself, and the peace of the kingdom, that we are many times amazed to consider by what eyes these things are seen, and by what ears they are heard: and, therefore, we have good cause to command, as we have done, and hereby do, all our judges and ministers of justice, our attorney and solicitor-general, and the rest of our learned counsel, to proceed with all speed against such, and their abettors, who, either by writing or words, have so boldly and maliciously violated the laws, disturbed the peace of the commonwealth, and, as much as in them lies, shaken the very foundation upon which that peace and happiness is founded and constituted. And we doubt not but all our loving subjects will be very sensible that this busy, virulent, demeanour is a fit prologue to nothing but confusion; and, if not very seasonably punished and prevented, will not only be a blemish to that wholesome accommodation we intend, but an unspeakable scandal and imputation, even upon the profession and religion of this our kingdom of England.

Concerning the civil liberties and interest of our subjects we shall need to say the less, having erected so many lasting monuments of our princely and fatherly care of our people in those many excellent laws passed by us this parliament; which, in truth, (with very much content to ourself,) we conceive to be so large and ample, that very many sober men have very little left to wish for.

We understood well the right, and pretences of right, we departed from in the consenting to the bills of the triennial parliament, for the continuance of this present parliament, and in the preamble to the bill of tonnage and poundage; the matter of which (having begot so many disturbances in late parliaments) we were willing to remove, that no interest of ours might hereafter break that correspondence; abundantly contenting ourself with an assurance (which we still have) that we should be repaired and supplied by a just proportion of confidence, bounty, and obedience of our people. In the bills for the taking away the high commission and star-chamber courts, we believed we had given that real satisfaction, that all jealousies and apprehensions of arbitrary pressures under the civil or ecclesiastical state would easily have

been abandoned, especially when they saw all possible doubts secured by the visitation of a triennial parliament.

These, and others of no mean consideration, we had rather should be valued in the hearts and affections of our people, than in any mention of our own, not doubting, but as we have taken all these occasions to render their condition most comfortable and happy, so they will always, in a grateful and dutiful relation, be ready, with equal tenderness and alacrity, to advance our rights and preserve our honour, upon which their own security and subsistence so much depends. And we will be so careful, that no particular shall be presented unto us, for the completing and establishing that security, to which we will not, with the same readiness, contribute our best assistance.

If these resolutions be the effects of our present counsels, (and we take God to witness that they are such, and that all our loving subjects may confidently expect the benefit of them from us,) certainly no ill design upon the public can accompany such resolutions, neither will there be greater cause of suspicion of any persons preferred by us to degrees of honour, and places of trust and employment, since this parliament; and, we must confess, that, amongst our misfortunes, we reckon it not the least, that, having not retained in our service nor protected any one person against whom our parliament hath excepted, during the whole sitting of it, and having, in all that time, scarce vouchsafed to any man an instance of our grace and favour, but to such who were under some eminent character of estimation amongst our people, there should so soon be any misunderstanding, or jealousy of their fidelity and uprightness, especially in a time when we take all occasions to declare that we conceive ourselves only capable of being served by honest men and in honest ways. However, if in truth we have been mistaken in such our election, the particulars shall be no sooner discovered to us, either by our own observation or other certain information, than we will leave them to public justice, under the marks of our displeasure.

If, notwithstanding this, any malignant party shall take heart, and be willing to sacrifice the peace and happiness of their country to their own sinister ends and ambitions, under

what pretence of religion and conscience soever;—if they shall endeavour to lessen our reputation and interest, and to weaken our lawful power and authority with our good subjects;—if they shall go about, by discountenancing the present laws, to loosen the bonds of government, that all disorder and confusion may break in upon us;—we doubt not but God, in his good time, will discover them unto us; and the wisdom and courage of our high court of parliament join with us in their suppression and punishment.

Having now said all that we can, to express the clearness and uprightness of our intentions to our people, and done all we can to manifest those intentions, we cannot but confidently believe all our good subjects will acknowledge our part to be fully performed, both in deeds past and present resolutions to do whatsoever with justice may be required of us, and that their quiet and prosperity depends now wholly upon themselves, and is in their own power, by yielding all obedience and due reverence to the law, which is the inheritance of every subject, and the only security he can have for his life, liberty, or estate; and the which being neglected or disesteemed, (under what specious shows soever,) a great measure of infelicity, if not an irreparable confusion, must, without doubt, fall upon them. And we doubt not it will be the most acceptable declaration a king can make to his subjects, that, for our part, we are resolved not only duly to observe the laws of ourself, but to maintain them against what opposition soever, though with the hazard of our being.

And our hope is, that not only the loyalty and good affections of all our loving subjects will concur with us in the constant preserving a good understanding between us and our people, but at this time their own and our interest, and compassion of the lamentable condition of our poor protestant subjects in Ireland, will invite them to a fair intelligence and unity amongst themselves, that so we may, with one heart, intend the relieving and recovering that unhappy kingdom, where those barbarous rebels practise such inhuman and unheard of outrages upon our miserable people, that no Christian ear can hear without horror, nor story parallel. And as we look upon this as the greatest affliction it hath pleased God to lay upon us, so our unhappiness is increased, in that,

by the distempers at home, so early remedies have not been applied to those growing evils as the expectation and necessity there requires ; though for our part, as we did, upon the first notice, acquaint our parliament of Scotland (where we then were) with that rebellion, requiring their aid and assistance, and gave like speedy intimation and recommendation to our parliament here, so, since our return hither, we have been forward to all things which have been proposed to us towards that work, and have lately ourself offered (by a message to our house of peers, and communicated to our house of commons) to take upon us the care to raise speedily ten thousand English volunteers for that service, if the house of commons shall declare that they will pay them ; which particulars we are (in a manner) necessitated to publish, since we are informed, that the malice of some persons hath whispered it abroad, that the no speedier advancing of this business hath proceeded from some want of alacrity in us to this great work ; whereas we acknowledge it a high crime against Almighty God, and inexcusable to our good subjects of our three kingdoms, if we did not, to the utmost, employ all our powers and faculties, to the speediest and most effectual assistance and protection of that distressed people.

And we shall now conjure all our good subjects, (of what degree soever,) by all the bonds of love, duty, or obedience, that are precious to good men, to join with us for the recovery of the peace of that kingdom, and the preservation of the peace of this, to remove all their doubts and fears, which may interrupt their affection to us, and all their jealousies and apprehensions, which may lessen their charity to each other : and then (if the sins of this nation have not prepared an inevitable judgment for us all) God will yet make us a great and glorious king over a free and happy people^b.

^b This declaration of the king to his subjects, in answer to the foregoing grand remonstrance or declaration of the house of commons, is generally supposed to have been drawn up by Mr. Edward Hyde, who was afterwards lord chancellor of England and earl of Clarendon.

*A common council held at Guildhall, in the city of London, the
31st of December, 1641.*

Commune concilium tentum in camera Guildhall, civitatis Londoniæ, tricesimo primo die Decembris 1641, post meridiem, anno regni Dominini nostri Caroli, nunc regis Angliæ, &c. decimo septimo, coram Ricardo Gurney, milite et baronetto, majore civitatis Londoniæ, Thoma Gardiner, milite, ejusdem civitatis recordatore, Ed. Bromfield, milite, et Ed. Wright, milite, et aldermanno dictæ civitatis, Johanne Cordell, milite, Johanne Gayer, milite, Jacobo Garrad, milite, ac aldermanno, Thoma Atkin, aldermanno, Johanne Wallaston, milite et aldermanno, Thoma Adams, Johanne Warner, Johanne Towse, Abrahamo Reynardson, et Thoma Austin, prædictæ civitatis aldermannis, ac Georgio Garret et Georgio Clark, militibus et aldermannis ac vicecomitibus civitatis prædictæ, nec non majore parte conciliariorum de communi concilio ejusdem civitatis, tunc et ibidem assemblatorum.

At this common-council master recorder declared, that, by the direction of the right honourable the lord mayor, he was to signify to them the cause of their now assembling, how that his lordship had yesterday received a letter from sir Edward Nicholas, knight, one of his majesty's principal secretaries, intimating that it was his majesty's pleasure his lordship should call a common council against this time, and then his lordship should be advertised of his majesty's further pleasure: and that there was now at this present in the council-chamber an honourable person, being the lord Newburgh, chancellor of his majesty's court of the duchy, and one of his majesty's most honourable privy-council, come hither to deliver his majesty's message or request to this court: and thereupon the right honourable the lord Newburgh was desired to come into this court, who, being here, declared and said in this manner; "Gentlemen, his majesty, out of his good affection towards the city, and acknowledging of your great loves lately showed unto his highness, hath sent me on a message unto you, assuring it to be the same contained in a paper which he presented and desired to be read to this common-council, which was accordingly done, the tenor whereof followeth in these words," viz.

"There having been of late many tumultuary and riotous

assemblies of people about our palaces of Whitehall and Westminster, to the great disturbance of us and our parliament : and we having received information, that some ill-affected persons do still endeavour to incite the like tumults again, we have thought fit to recommend to your especial care the preventing them, as far as in you lies, especially [during] the ensuing holidays, at which the idleness of many may make them apter to such disorders. We have thought fit likewise to let you know, that we are so well assured of the good affections of our city of London, by the great expressions which it hath made unto us of late, that we can in no wise understand it to have any share in the fault of these tumults and distempers, but that they proceed merely from the mean, unruly people of the suburbs. And as we are most confident of the hearts and good affections of our city of London towards us and our government, and will not entertain any other opinion ; so we do desire them not to be disturbed by any jealousies that ill-affected persons may endeavour to sow, but to rest most confident and assured, that the safety, the protection, and the prosperity of the city shall ever be with us a principal care."

After the reading of which most gracious message, whereby is fully manifested and expressed his majesty's gracious goodness and great care for the safety and prosperity of this city, (the lord Newburgh having withdrawn himself,) this common-council took the same into their serious consideration, and how for the present to return, by this honourable person, unto his majesty an answer with all humility and thankfulness ; and, after much debate, it was fully agreed and resolved of by this common-council, that, in the first place, should be returned and rendered unto his majesty from this common-council, as the representative body of the whole city, their humble duty in all thankful manner, for his goodness and gracious love and care manifested to this city.

Secondly, that it should be signified unto his majesty, [that neither] this court nor any particular member thereof hath had any hand in these tumultuous and riotous proceedings, and that they, and every one of them, do disavow and disclaim the same.

Thirdly, that it may be likewise signified, that this court

(as the representative body of the whole city) doth promise from henceforth their best endeavours to prevent and suppress, in time to come (as far as in them lieth), all such or the like tumultuous assemblies, and all mutinous and rebellious persons.

And lastly, that the humble desire of this court may be presented unto his majesty, to be graciously pleased, that all the delinquents and causers of these tumults, whatsoever they be, being apprehended, may be brought into examination, and receive condign punishment according to the law.

And these four things thus agreed upon, were, by direction of this common-council, here openly declared and delivered, by the mouth of master recorder, unto that honourable person the lord Newburgh, here present, with desire that the same should be, by his lordship, accordingly presented unto his majesty; the which he promised to perform with trust.

And afterwards this court entered into further consultation and debate, touching the tumultuous and riotous assemblies lately spread, night and day, in several parts of this city, to the great trouble and affrightment of his majesty's good subjects, and also touching the great neglect of that due respect which ought to be given by the inhabitants of this city, to the several precepts lately issued out by my lord mayor for a continual watch and ward, day and night, for prevention and suppression of such tumults and distempers.

And likewise touching the great neglect in appearance of the trained bands of this city to their colours at the beat of the drum, especially in these times of danger, in contempt of authority, being a matter of exceeding great consequence, and not fit to be suffered. And thereupon this common-council, taking much to heart that such disobedience should grow and be found in the inhabitants of this city, to the great disrespect of magistracy and contempt of government; and that such disorders and tumultuary assemblies should be permitted in such a city as this, (formerly famous for the good and quiet government thereof,) hath thought it very expedient and behoveful, for redress and remedy to be had in these abuses, (being not fit to be any longer endured,) that every member of this common-council now assembled, shall, in their several precincts, spread it abroad and make it known, that, if any

person or persons shall from henceforth neglect his duty and service to be performed, as aforesaid, and shall not do his best endeavour to suppress or prevent any tumults or riotous assemblies, that shall hereafter be attempted within this city, or liberties thereof, that then he or they offending shall receive condign punishment, according to his or their demerits.

And it is further thought fit, and so agreed by this common-council, that my lord mayor may send out his precepts in such manner and to such purpose as his lordship and his brethren the aldermen shall think fit, for watch and ward, raising of arms, or otherwise, for the safety and preservation of this city; to which this court and all the members thereof promise all due and cheerful obedience.

His majesty's message, sent by the lord chamberlain to the house of peers the 28th of December 1641.

His majesty being very sensible of the great miseries and distresses of his subjects in the kingdom of Ireland, which go daily increasing so fast, and the blood which hath been already spilt by the cruelty and barbarousness of those rebels, crying out so loud, and perceiving how slowly the succours designed thither go on, his majesty hath thought fit to let your lordships know, and desires you to acquaint the house of commons therewith, that his majesty will take care, that by commissions which he shall grant, ten thousand English volunteers shall be speedily raised for that service, if so the house of commons shall declare that they will pay them.

By the king.

Whereas divers lewd and wicked persons have of late risen in rebellion in our kingdom of Ireland, surprised divers of our forts and castles, and possessed themselves thereof; surprised some of our garrisons; possessed themselves of some of our magazines of arms and munition; dispossessed many of our good and loyal subjects of the British nation, and protestants, of their houses and lands; robbed and spoiled many thousands of our good subjects of the British nation, and protestants, of their goods, to great values; massacred multitudes of them, imprisoned many others, and some who have the honour to serve us as privy councillors of that our king-

dom : we therefore, having taken the same into our royal consideration, and abhorring the wicked disloyalty and horrible acts committed by those persons, do hereby not only declare our just indignation thereof, but also do declare them and their adherents and abettors, and all those who shall hereafter join with them, or commit the like acts on any of our good subjects in that kingdom, to be rebels and traitors against our royal person, and enemies to our royal crown of England and Ireland.

And we do hereby strictly charge and command all those persons, who have so presumed to rise in arms against us and our royal authority, (which we cannot otherwise interpret than acts of high rebellion and detestable disloyalty, when therein they spoil and destroy our good and loyal subjects of the British nation, and protestants,) that they immediately lay down their arms, and forbear all further acts of hostility ; wherein if they fail, we do let them know, that we have authorized our justices of Ireland, and other our chief governor or governors, and general or lieutenant-general, of our army there, and do hereby accordingly require and authorize them, and every of them, to prosecute the said rebels and traitors with fire and sword, as persons who, by their disloyalty against us their lawful and undoubted king and sovereign, have made themselves unworthy of any mercy or favour : wherein our said justices or other chief governor or governors, and general or lieutenant-general of our said army, shall be countenanced and supported by us and by our powerful succours of our good subjects of England and Scotland, that so they may reduce to obedience those wicked disturbers of that peace, which, by the blessing of God, that kingdom hath so long and so happily enjoyed, under the government of our royal father and us. And this our royal pleasure we do hereby require our justices, or other chief governor or governors of that our kingdom of Ireland, to cause to be published and proclaimed in and throughout our said kingdom of Ireland.

Given under our signet, at our palace at Westminster,
the 1st day of of January, in the seventeenth year of
our reign, 1641^c.—*God save the king.*

^c This date is more than two months after the 23rd of October 1641, when the Irish rebellion and massacre began. And it is remarkable, that

Articles of high treason, and other misdemeanours, against the lord Kymbolton, Mr. Pym, John Hampden, Denzill Hollis, sir Arthur Haslerig, and William Strode, being all members of the house of commons.

1. That they have traitorously endeavoured to subvert the fundamental laws and government of this kingdom, and deprive the king of his legal power, and to place on subjects an arbitrary and tyrannical power.

2. That they have endeavoured, by many foul aspersions upon his majesty and his government, to alienate the affections of his people, and to make his majesty odious to them.

3. That they have endeavoured to draw his majesty's late army to disobedience to his majesty's command, and to side with them in their traitorous design.

4. That they have traitorously invited and encouraged a foreign power to invade his majesty's kingdom of England.

5. That they have traitorously endeavoured to subvert the very rights and beings of parliaments.

6. That, for the completing of their traitorous designs, they have endeavoured, as far as in them lay, by force and terror, to compel the parliament to join with them in their traitorous designs, and to that end have actually raised and countenanced tumults against the king and parliament.

7. That they have traitorously conspired to levy, and actually have levied, war against the king.

Die Lunæ, 3 Januar. 1641.

It is this day ordered upon the question, by the commons house of parliament, that, if any persons whatsoever shall come to the lodgings of any member of this house, and there do offer to seal the trunks, doors, or papers of any members of this house, or to seize upon their persons; that then such members shall require the aid of the constable, to keep such persons in safe custody, till this house do give further

with this proclamation, a warrant, signed by secretary Nicholas, was sent to the printer, importing, "that it was his majesty's pleasure he should forthwith print, on good paper, forty copies of the same for the king's use, and that no more be printed till his pleasure be further notified." See Rushworth's Historical Collections abridged, vol. iv. page 234.

order. And this house doth further declare, that, if any person whatsoever shall offer to arrest or detain the person of any member of this house, without first acquainting this house therewith, and receiving further order from this house; that it is lawful for such member, or any person [willing to] assist him, to stand upon his and their guard of defence, and to make resistance, according to the protestation taken to defend the privileges of parliament.

H. ELSYNGE, Cler. Parl. D. Com.

His majesty's speech in the house of commons, Jan. 4, 1641.

GENTLEMEN,

I am sorry for this occasion of coming unto you: yesterday I sent a sergeant-at-arms upon a very important occasion, to apprehend some that by my command were accused of high treason, whereunto I did expect obedience, and not a message. And I must declare unto you here, that, albeit no king that ever was in England shall be more careful of your privileges, to maintain them to the uttermost of his power, than I shall be; yet you must know, that in cases of treason, no person hath a privilege; and therefore I am come to know if any of those persons that were accused are here. For I must tell you, gentlemen, that so long as those persons that I have accused (for no slight crime, but for treason) are here, I cannot expect that this house can be in the right way that I do heartily wish it: therefore I am come to tell you, that I must have them wheresoever I find them. Well;—since I see all the birds are flown, I do expect from you that you shall send them unto me as soon as they return hither: but I assure you, in the word of a king, I never did intend any force, but shall proceed against them in a legal and fair way, for I never meant any other.

And now, since I see I cannot do what I came for, I think this no unfit occasion to repeat what I have said formerly; That whatsoever I have done in favour and to the good of my subjects, I do mean to maintain it.

I will trouble you no more, but tell you, I do expect, as soon as they come to the house, you will send them to me: otherwise I must take my own course to find them.

Die Mercurii, 5 Jan. 1641.

Commons house of parliament.

Whereas his majesty, in his royal person, yesterday, being the 4th of January, 1641, did come to the house of commons, attended with a great multitude of men, armed in a warlike manner, with halberds, swords, and pistols, who came up to the very door of the house, and placed themselves there, and in other places and passages near to the house, to the great terror and disturbance of the members thereof then sitting, and, according to their duty, in a peaceable and orderly manner treating of the great affairs of both kingdoms of England and Ireland; and his majesty, having placed himself in the speaker's chair, did demand the persons of divers members of the house to be delivered unto him :

It is this day declared, by the house of commons, that the same is a high breach of the rights and privileges of parliament, and inconsistent with the liberty and freedom thereof: and therefore this house doth conceive they cannot, with the safety of their own persons, or the indemnity of the rights and privileges of parliament, sit here any longer, without a full vindication of so high a breach, and a sufficient guard wherein they may confide; for which both houses jointly, and this house by itself, have been humble suitors to his majesty, and cannot as yet obtain.

Notwithstanding which, this house, being very sensible of the greatest trust reposed in them, and especially at this time of the manifold distractions of this kingdom, and the lamentable and distressed condition of the kingdom of Ireland, doth order, that this house shall be adjourned until Tuesday next at one of the clock in the afternoon, and that a committee be named by this house, and all that will come shall have voices, and shall sit at the Guildhall in the city of London, to morrow morning at nine of the clock; and shall have power to consider and resolve of all things that may concern the good and safety of the city and kingdom, and particularly how our privileges may be vindicated and our persons secured; and to consider of the affairs and relief of Ireland; and shall have power to consult and advise with any person or persons, touching the premises, and shall have power to send for parties, witnesses, papers, and records.

And it is further ordered, that the committee for the Irish affairs shall meet at the Guildhall aforesaid, at what time they shall think fit ; and consult and do touching the affairs of Ireland, according to the power formerly given them by this house ; and both the said committees shall report the results of their consideration and resolution to this house.

Master Chancellor of the Exchequer ; M. Glyn ; M. Whitlock ; lord Falkland ; sir Phil. Stapleton ; M. Nath. Fiennes ; sir Ralph Hopton ; sir John Hotham ; sir Walter Earl ; sir Robert Cook ; sir Tho. Walsingham ; sir Samuel Roll ; M. Pierpoint ; M. Walt. Long ; sir Rich. Cave ; sir Ed. Hungerford ; M. Grimston ; sir Christ. Wray ; sir Ben. Rudyard ; sir John Heppisley ; M. Herbert Price ; sir John Wray ; sir Tho. Barrington ; M. Wheeler ; sir Will. Litton.

This is the committee appointed by the former order, and are to pursue the directions of the former order ; and all that will come are to have voices at this committee.

A declaration of the house of commons touching a late breach of their privileges, and for the vindication thereof, and of divers members of the said house.

Whereas the chambers, studies, and trunks of master Denzil Hollis, sir Arthur Haslerigg, master John Pym, master John Hampden, and master William Strode, esquires, members of the house of commons, upon Monday the 3rd of this instant January, by colour of his majesty's warrant, have been sealed up by sir William Killigrew and sir William Flemen and others, which is not only against the privilege of parliament, but the common liberty of every subject : which said members afterwards, the same day, were, under the like colour, by sergeant Francis, one of his majesty's sergeants-at-arms, contrary to all former presidents, demanded of the speaker, sitting in the house of commons, to be delivered unto him, that he might arrest them of high treason. And whereas, afterwards, the next day, his majesty, in his royal person, came to the said house, attended with a great multitude of men, armed in warlike manner, with halberds, swords, and pistols, who came up to the very door of the house, and placed themselves there, and in other places, and passages near to the said house, to the great terror and disturbance of the mem-

bers then sitting, and, according to their duty, in a peaceable and orderly manner treating of the great affairs of England and Ireland. And his majesty, having placed himself in the speaker's chair, demanded of them the persons of the said members to be delivered unto him; which is a high breach of the rights and privileges of parliament, and inconsistent with the liberties and freedom thereof. And whereas, afterwards, his majesty did issue forth several warrants to divers officers, under his own hand, for the apprehension of the persons of the said members, which by law he cannot do; there being not all this time any legal charge or accusation, or due process of law issued against them, nor any pretence of charge made known to that house; all which are against the fundamental liberties of the subject and the rights of parliament: whereupon we are necessitated, according to our duty, to declare, and we do hereby declare, that if any person shall arrest master Hollis, sir Arthur Haslerigg, master Pym, master Hampden, and master Strode, or any of them, or any other member of parliament, by pretence or colour of any warrant issuing out from the king only, [he will] be guilty of a breach of the liberties of the subject and of the privilege of parliament, and a public enemy to the commonwealth. And that the arresting of the said members, or any of them, or of any other member of parliament, by any warrant whatsoever, without a legal proceeding against them, and without consent of that house, whereof such person is a member, is against the liberty of the subject, and a breach of privilege of parliament; and the person which shall arrest any of these persons, or any other member of the parliament, is declared a public enemy of the commonwealth. Notwithstanding all which, we think fit further to declare, that we are so far from any endeavours to protect any of our members that shall be in due manner prosecuted, according to the laws of the kingdom and the rights and privileges of parliament, for treason, or any other misdemeanours, that none shall be more ready and willing than we ourselves to bring them to a speedy and due trial, being sensible that it equally imports us as well to see justice done against them that are criminous as to defend the just rights and liberties of the subjects and parliament of England.

And whereas, upon several examinations, taken the 7th day of this instant January, before the committee appointed by the house of commons to sit in London, it did fully appear that many soldiers, papists, and others, to the number of about five hundred, came with his majesty on Tuesday last to the said house of commons, armed with swords, pistols, and other weapons, and divers of them pressed to the door of the said house, thrust away the doorkeepers, and placed themselves between the said door and the ordinary attendants of his majesty, holding up their swords, and some holding up their pistols ready-cocked, near the said door, and saying, "I am a good marksman; I can hit right, I warrant you;" and they not suffering the said door, according to the custom of parliament, to be shut, but said they would have the door open, and, if any opposition were against them, they made no question but they should make their party good, and that they would maintain their party; and when several members of the house of commons were coming into the house, their attendants desiring that room might be made for them, some of the said soldiers answered, "A pox of God confound them!" and others said, "A pox take the house of commons; let them come and be hanged; what ado is here with the house of commons!" and some of the said soldiers did likewise violently assault, and by force disarm, some of the attendants and servants of the members of the house of commons, waiting in the room next the said house; and, upon the king's return out of the said house, many of them, by wicked oaths and otherwise, expressed much discontent, that some members of the said house, for whom they came, were not there; and others of them said, "When comes the word?" and no word being given at his majesty's coming out, they cried "A lane, a lane." Afterwards some of them, being demanded what they thought the said company intended to have done, answered, that, questionless, in the posture they were set, if the word had been given, they should have fallen upon the house of commons, and have cut all their throats. Upon all which we are of opinion, that it is sufficiently proved, that the coming of the said soldiers, papists, and others with his majesty to the house of commons, on Tuesday last, being the 4th of this instant January, in the

manner aforesaid, was to take away some of the members of the said house ; and if they should have found opposition or denial, then to have fallen upon the said house in a hostile manner : and we do hereby declare, that the same was a traitorous design against the king and parliament. And, whereas the said master Hollis, sir Arthur Haslerigge, master Pym, master Hampden, and master Strode, upon report of the coming of the said soldiers, papists, and others, in the warlike and hostile manner aforesaid, did, with the approbation of the house, absent themselves from the service of the house, for avoiding the great and many inconveniènces which otherwise apparently might have happened : since which time, a printed paper, in the form of a proclamation, bearing date the 6th day of this instant January, hath issued out for the apprehending and imprisoning of them ; therein suggesting, that, through the conscience of their own guilt, they were absent and fled, not willing to submit themselves to justice ; we do further declare, that the said printed paper is false, scandalous, and illegal, and that, notwithstanding the said printed paper, or any warrant issued out, or any other matter yet appearing against them or any of them, they may and ought to attend the service of the said house of commons, and the several committees now on foot, and that it is lawful for all persons whatsoever to lodge, harbour, or converse with them or any of them : and whosoever shall be questioned for the same shall be under the protection and privilege of parliament.

And we do further declare, that the publishing of several articles, purporting a form of a charge of high treason against the lord Kymbolton, one of the members of the lords' house, and against the said master Hollis, sir Arthur Haslerigge, master Pym, master Hampden, and master Strode, by sir William Killigrew, sir William Flemen, and others in the inns of court, and elsewhere, in the king's name, was a high breach of the privilege of parliament, a great scandal to his majesty and his government, a seditious act, manifestly tending to the subversion of the peace of the kingdom, and an injury and dishonour to the said members, there being no legal charge or accusation against them.

That the privileges of parliament and the liberties of the

subject, so violated and broken, cannot be fully and sufficiently vindicated, unless his majesty will be graciously pleased to discover the names of those persons who advised his majesty to issue out warrants for the sealing of the chambers and studies of the said members; to send a serjeant-at-arms to the house of commons, to demand their said members; to issue out several warrants under his majesty's own hand, to apprehend the said members; his majesty's coming thither in his own royal person; the publishing of the said articles and printed paper, in the form of a proclamation, against the said members, in such manner as is before declared; to the end that such persons may receive condign punishment.

And this house doth further declare, that all such persons as have given any counsel, or endeavoured to set or maintain division or dislike between the king and parliament, or have listed their names, or otherwise entered into any combination or agreement to be aiding or assisting to any such counsel or endeavour, or have persuaded any other so to do, or that shall do any the things above mentioned, and shall not forthwith discover the same to either house of parliament, or the speaker of either of the said houses respectively, and disclaim it, are declared public enemies of the state and peace of this kingdom, and shall be inquired of and proceeded against accordingly.

Die Lunæ, 17 Januarii, 1641. It is this day ordered, by the commons assembled in parliament, that this declaration shall be forthwith published in print.

HEN. ELSING. Cler. Parl. de Com.

To the king's most excellent majesty, and the lords and peers now assembled in parliament.

The humble petition and protestation of all the bishops and prelates, now called by his majesty's writs to attend the parliament, and present about London and Westminster for that service.

That, whereas the petitioners are called up by several and respective writs, and under great penalties, to attend in parliament, and have a clear and indubitate right to vote in bills,

and other matters whatsoever, debatable in parliament, by the ancient customs, laws, and statutes of this realm, and ought to be protected by your majesty, quietly to attend and prosecute that great service :

They humbly remonstrate and protest before God, your majesty, and the noble lords and peers now assembled in parliament, that, as they have an indubitate right to sit and vote in the house of the lords, so are they (if they may be protected from force and violence) most ready and willing to perform their duties accordingly. And that they do abominate all actions or opinions tending to popery and the maintenance thereof, as also, all propension and inclination to any malignant party, or any other side or party whatsoever, to the which their own reasons and consciences shall not move them to adhere.

But, whereas they have been at several times violently menaced, affronted, and assaulted, by multitudes of people, in their coming to perform their services in that honourable house ; and lately chased away, and put in danger of their lives, and can find no redress or protection upon sundry complaints made to both houses in these particulars.

They likewise humbly protest before your majesty and the noble house of peers, that saving unto themselves all their rights and interests of sitting and voting in that house at other times, they dare not sit or vote in the house of peers until your majesty shall farther secure them from all affronts, indignities, and dangers in the premises.

Lastly, whereas their fears are not built upon phantasies and conceits, but upon such grounds and objects as may well terrify men of good resolutions and much constancy, they do, in all duty and humility, protest before your majesty, and the peers of that most honourable house of parliament, against all laws, orders, votes, resolutions, and determinations, as in themselves null, and of none effect, which in their absence, since the 27th of this instant month of December, 1641, have already passed ; as likewise against all such as shall hereafter pass in that most honourable house during the time of this their forced and violent absence from the said most honourable house ; not denying, but, if their absenting of themselves were wilful and voluntary, that most honourable house might

proceed in all these premises, their absence or this their protestation notwithstanding.

And humbly beseeching your most excellent majesty to command the clerk of that house of peers to enter this their petition and protestation amongst his records, they will ever pray to God to bless and preserve, &c.

Jo. Eborac., Thomas Duresme, Robert Co. Lich., Jos. Norwich, Jo. Asaphen, Guil. Ba. and Wells, Geo. Hereford., Rob. Oxon, Ma. Ely, Godfr. Glouc., Jo. Peterburg, Mor. Llandaff.

Vera copia Jo. BROWN Cleric. Parliament.

The house of lords was pleased on the 30th of December to send a message to the house of commons, by sir John Banks and judge Reeves, to desire a present conference, by a committee of both houses touching matters of dangerous and high consequence.

And at the conference, the lord-keeper, in the name of the house of peers, delivered as followeth :

That this petition and protestation of the twelve bishops, containing matters of high and dangerous consequence, and such as my lords are very sensible of, and such as require a speedy and sudden resolution ; it extending to the deep intrenching upon the fundamental privileges and being of parliament: therefore the lords have thought fit that this matter, concerning the whole parliament, may be communicated to the house of commons ; it being a thing of so great and so general concernment.

This being thus communicated to the house of commons, they came to this resolution, to accuse these twelve bishops of high treason, for endeavouring to subvert the fundamental laws and being of parliaments.

And master Glyn was ordered to go to the lords, and at their bar, in the name of the house of commons, and all the commons of England, to accuse these twelve prelates of high treason for endeavouring to subvert the fundamental laws of the realm, and the very being of parliaments, manifested by preferring that petition and protestation ; and to desire the lords that they may be forthwith sequestered from parliament, and put into safe custody ; and that their lordships would ap-

point a speedy day for the commons to charge them, and they to answer : for that the commons were ready to make good their charge.

He was further ordered to give the lords thanks for communicating this petition, with so much affection and speed, and for expressing their sense thereof.

After master Glyn had delivered this at the bar, the lords sent the black rod instantly, to find out these bishops, and apprehend them ; and by eight of the clock at night they were all taken, and brought upon their knees to the bar, and ten of them committed to the Tower, and two (in regard of their age, and indeed of the worthy parts of one of them, the learned bishop of Durham) were committed to the black rod.

A proposition or message, sent the 31st of December, 1641, to his majesty, by the house of commons, for a guard.

MOST GRACIOUS SOVEREIGN,

We are sent by the knights, citizens, and burgesses of the house of commons, your faithful and loyal subjects, (who are ready to lay down their lives and fortunes, and spend the last drop of their blood, to maintain your crown and royal person in greatness and glory, and do, by us, cast themselves down at your royal feet,) to present unto your majesty their humble desires, upon their great apprehensions and just fears of mischievous designs and practices to ruin and destroy them. There have been several attempts heretofore to bring destruction upon their whole body at once, and threats and menaces against particular persons. There is a malignant party bitterly envenomed against them, daily gathering strength and confidence, and now come to such height as they have given boldness to some to imbrue their hands in the blood of your subjects, in the face and at the doors of the parliament, and at your majesty's own gates, and have given out insolent and menacing speeches against the parliament itself. This causeth great distractions among the people in general, and much fear and apprehension in the house of commons ; that they conceive they cannot, with the safety of their persons, (upon which the safety and peace of the whole kingdom doth now depend,) sit any longer unarmed

and unguarded, as they are. They have therefore their recourse unto your majesty, most humbly beseeching you, that it may stand with your good liking, if they provide for their own safety, which the very law of nature and reason doth allow unto them; it is their humble desire, that they may have a guard out of the city of London commanded by the earl of Essex, lord chamberlain of your majesty's household, of whose fidelity to your majesty and the commonwealth they have had long experience. By this your majesty's grace and favour you will remove their fears, fill them with comfort and assurance, and enable them to serve your majesty in such a way as shall render your majesty and your government happy and glorious. And to this they do most humbly desire your majesty's gracious and speedy answer, because their safety and the safety of the whole kingdom depends upon it, and will not admit of any delay.

His majesty's answer to the message or proposition sent the last of December past, by the house of commons, for a guard.

We have taken the last message from you, touching your desire of a guard, into serious consideration, and truly with great grief of heart, that, (after a whole year's sitting of this parliament, wherein you have obtained those things, for the happiness and security of yourselves, and the rest of our subjects, as no age can equal,) instead of reaping in peace and tranquillity the fruits of your labours, and of our grace and affection to our people, we should find jealousies, distrusts, and fears, still so prevalent amongst you, as to induce you to declare them unto us in so high a measure as you have done at this time.

We are wholly ignorant of the grounds of your apprehensions: but this we do protest before Almighty God, (to whom we must be accountable for those whom he hath intrusted to our care and protection,) that had we any knowledge or belief of the least design in any, of violence, either formerly or at this time, against you, we would pursue them to condign punishment, with the same severity and detestation that we would do the greatest attempt upon our crown.

We know the duty of that place where God hath set us,

the protection we owe to all our loyal subjects, and most particularly to you, called to our service by our writs ; and we do engage unto you solemnly the word of a king, that the security of all and every one of you from violence, is, and shall ever be, as much our care, as the preservation of us and our children.

And if this general assurance shall not suffice to remove your apprehensions, we will command such a guard to wait upon you, as we will be responsible for to Him who hath entrusted us with the safety and protection of our subjects.

Whitehall, 3rd Jan. 1641.

To the king's most excellent majesty.

The humble petition of the mayor, aldermen, and common council of the city of London.

May it please your most excellent majesty ; the often expressions of your most gracious acceptance of the manifestation of the petitioners' duty and loyalty, and the frequent declarations of your majesty's great care of the good and welfare of this city, and of the true protestant religion, and of protecting and preserving the persons and privileges of your great council, assembled in the high court of parliament: each encouraged the petitioners to represent the great dangers, fears, and distractions wherein the city now is, by reason of the prevailing progress of the bloody rebels in Ireland, fomented, and acted by the papists and their adherents, and want of aid to suppress them, and the several intimations they have had both foreign and at home, of the driving on of their designs, tending to the utter ruin of the protestant religion, and of the lives and liberties of your majesty's loyal subjects, the putting out of persons of honour and trust from being constable and lieutenant of the Tower, especially in these times, and the preparations there lately made, the fortifying of Whitehall with men and munition in an unusual manner : some of which men, with provoking language and violence, abused divers citizens passing by, and the drawing divers swords, and therewith wounding sundry other citizens in Westminster-hall that were unarmed : the late endeavours used to the inns of court, the

calling in divers cannoneers, and other assistance, into the Tower, the late discovery of divers fireworks in the hands of a papist, and the misunderstanding betwixt your majesty and parliament, by reason of misinformation, as they humbly conceive.

Besides all which, the petitioners' fears are exceedingly increased by your majesty's late going into the house of commons, attended with a great multitude of armed men, besides your ordinary guard, for the apprehending of divers members of that house, to the endangering of your sacred person, and of the persons and privileges of that honourable assembly.

The effects of all which fears tend, not only to the overthrow of the whole trade of this city and kingdom, which the petitioners already feel in a deep measure; but also threaten the utter ruin of the protestant religion, and the lives and liberties of all your loyal subjects.

The petitioners therefore most humbly pray your sacred majesty, that, by the advice of your great council in parliament, the protestants in Ireland may be speedily relieved, the Tower put into the hands of persons of trust: that, by removal of doubtful and unknown persons from about Whitehall and Westminster, a known and approved guard may be appointed for the safety of your majesty and parliament, and that the lord Mandevill, and the five members of the house of commons lately accused, may not be restrained of liberty, or proceeded against, otherwise than according to the privileges of parliament,

And the petitioners (as in all duty bound) shall pray for your majesty's most long and happy reign, &c.

His majesty's answer to the petition of the mayor, aldermen, and common-council of the city of London.

His majesty having fully considered the matter of this petition, is graciously pleased to declare, that being unalterably resolved to make good all his expressions and declarations of his care of this city, of the true protestant religion, and of the privileges of parliament; his majesty takes in good part the intimation given by the petitioners of the fears and distractions wherein the city now seems to be. And though he

conceives he did on Wednesday, at the Guildhall, satisfy most of those particulars, is pleased to add this further answer:

1. That for the sad business of Ireland, his majesty cannot possibly express a greater sense than he hath done, there being nothing left on his majesty's part unoffered or undone. And he hoped, by the speedy advice and assistance of his parliament, that great and necessary work would be put in a just forwardness, to which his majesty will contribute all his power: and how zealous he is, and hath been therein, will appear in a declaration speedily to be set forth by his majesty.

2. For the Tower: his majesty wonders, that having removed a servant of good trust and reputation from that charge, only to satisfy the fears of the city, and put in another of unquestionable reputation and known ability, the petitioners should still entertain those fears; and whatever preparation of strength is there made, is with as great an eye of safety and advantage to the city as to his majesty's own person, and shall be equally employed to both.

3. For the fortifying of Whitehall with men and munition in an unusual way: his majesty doubts not, but the petitioners have observed the strange provocation he hath received to entertain that guard: that by the disorderly and tumultuous conflux of people at Westminster and Whitehall, his majesty's great council was not only disquieted, but his own royal person in danger, most seditious language being uttered even under his own windows, whilst the examination and punishing such tumults by the course of law were interrupted and stopped. And if any citizens were wounded or ill-entreated, his majesty is confidently assured that it happened by their own evil and corrupt demeanours.

4. His majesty knows no other endeavours to the inns of court, than a gracious intimation, that he received the tender of their loyal and dutiful affections with very good approbation and acceptance, and an encouragement given them to continue the same upon all occasions. Neither doth his majesty know what discovery hath been lately made of fireworks in the hands of any papist.

5. For his going to the house of commons, (when his attendants were no otherwise armed than, as gentlemen, with swords,)

his majesty is verily persuaded, that, if the petitioners knew the clear grounds upon which those persons stand accused of high treason, and what will be proved against them, (which in due time they shall be acquainted with,) and considered the gentle way his majesty took for their apprehension, (which he preferred before any course of violence, though that way had been very justifiable; for his majesty is very well assured, that it is notoriously known, that no privilege of parliament can extend to treason, felony, or breach of the peace,) the petitioners would believe his majesty's going thither was an act of grace and favour to that house, and the most peaceable way of having that necessary service, for the apprehension of those persons, performed; especially, if such orders have been made (which his majesty is not willing to believe) for the resistance of all lawful authority, as are discoursed of.

6. And for the proceedings against those persons mentioned in the petition, his majesty ever intended the same should be with all justice and favour according to the laws and statutes of the realm; to the which all innocent men would cheerfully submit.

And this extraordinary way of satisfying a petition of so unusual a nature, his majesty is confidently persuaded, will be thought the greatest instance can be given of his majesty's clear intention to his subjects, and of the singular estimation he hath of the good affections of this city, which he believes in gratitude will never be wanting to his just commands and service.

By the king.

*A proclamation for a general fast throughout this
realm of England.*

His majesty, taking into his princely and pious consideration the lamentable and distressed estate of his good subjects in his majesty's kingdom of Ireland, and conceiving it to be a just and great occasion calling upon him, and his people of this his kingdom of England, for a general humiliation of all estates of this kingdom before Almighty God, in prayer and fasting, for drawing down his mercy and blessing upon that kingdom: his majesty doth therefore, by this his proclamation,

straitly charge and command, that a general, public, and solemn fast be kept and holden, as well by abstinence from food as by public prayers, preaching, and hearing of the word of God, and other sacred duties, in all cathedral, collegiate, and parish churches and chapels within this his majesty's kingdom of England and dominion of Wales, (his majesty's cities of London and Westminster only excepted, where it hath already been observed,) on the 20th day of this present month of January.

And his majesty doth further, by this his proclamation, straitly charge and command, that a general, public, and solemn fast be kept and holden, as well by abstinence from food, as by public prayers, preaching, and hearing of the word of God, and other sacred duties, in all cathedral, collegiate, and parish churches and chapels within this kingdom of England and dominion of Wales, (without any exception,) on the last Wednesday of the month of February next following the date hereof, and from thenceforth to continue, on the last Wednesday of every month, during the troubles in the said kingdom of Ireland. All which, his majesty doth expressly charge and command, shall be reverently and devoutly performed by all his loving subjects, as they tender the favour of Almighty God, and would avoid his just indignation against this land, and upon pain of such punishments as his majesty can justly inflict, upon all such as shall contemn or neglect so religious a work.

Given at the court at Whitehall, the 8th day of January, in the seventeenth year of his majesty's reign of great Britain, France, and Ireland.—*God save the king.*

The king's message to both houses, January 12, 1641.

His majesty, taking notice that some conceive it disputable whether his proceedings against my lord Kymbolton, master Hollis, sir Arthur Haslerigg, master Pym, master Hampden, and master Strode, be legal and agreeable to the privileges of parliament, and being very desirous to give satisfaction to all men, in all matters that may seem to have relation to privilege; is pleased to wave his former proceedings: and, all doubts by this means being settled, when the minds of men

are composed, his majesty will proceed thereupon in an unquestionable way: and assures his parliament, that upon all occasions he will be as careful of their privileges as of his life or his crown.

To the king's most excellent majesty.

*The humble petition of the inhabitants of the county
of Buckinghamshire*

SHEWETH,

That your petitioners, having, by virtue of your highness's writ, chosen John Hampden knight for our shire, in whose loyalty we, his countrymen and neighbours, have ever had good cause to confide: however, of late, to our no less amazement than grief, we find him, with other members of parliament, accused of treason: and having taken to our serious consideration the manner of their impeachment, we cannot but (under your majesty's favour) conceive that it doth so oppugn the rights of parliament, to the maintenance whereof our protestation binds us, that we believe it is the malice, which their zeal to your majesty's service and the state, hath contracted in the enemies to your majesty, the church, and commonwealth, hath occasioned this foul accusation, rather than any deserts of theirs, who do likewise, through their sides, wound the judgment and care of us your petitioners, and others, by whose choice they were presented to the house.

Your petitioners therefore most humbly pray, that master Hampden, and the rest that lie under the burden of that accusation, may enjoy the just privileges of parliament.

And your petitioners shall ever pray, &c.

Windsor, 13 Jan. 1641.

His majesty being graciously pleased to let all his subjects understand his care not knowingly to violate, in the least degree, any of the privileges of parliament, hath therefore (lately) by a message sent by the lord-keeper, signified, that he is pleased, because of the doubt that hath been raised of the manner, to wave his former proceedings against master Hampden and the rest, mentioned in this petition; concern-

ing whom his majesty intends to proceed in an unquestionable way. And then, his majesty saith, it will appear, that he had so sufficient grounds to question them, as he might not, in justice to the kingdom and honour to himself, have forborne: and yet his majesty had much rather that the said persons should prove innocent than be found guilty: however, he cannot conceive that their crimes can in any sort reflect upon those his good subjects who elected them to serve in parliament.

Die Jovis, 13 Januarii, 1641.

Whereas information hath been given to the parliament, that the lord Digby (son to the earl of Bristol) and colonel Lunsford, with others, have gathered troops of horse, and have appeared in a warlike manner, at Kingston-upon-Thames, in the county of Surry, (where the magazine of arms for that part of the county lies,) to the terror and affright of his majesty's good subjects, and disturbance of the public weal of the kingdom:

It is this day ordered, by the lords and commons in parliament, that the sheriffs of the several counties of England and Wales, calling to their assistance the justices of the peace, and the trained bands of those several counties, (or so many of them as shall be necessary for the service,) shall suppress all unlawful assemblies gathered together, to the disturbance of the public peace of the kingdom, in their several counties respectively: and that they take care to secure the said counties, and all the magazines in them.

Die Veneris, viz. 14 die Jan. 1641.

Ordered by the lords in parliament, that this order be printed and published in all the market-towns in this kingdom.

JOHN BROWN, Cler. Parliament.

His majesty's profession and addition to his last message to the parliament, January 14, 1641.

His majesty being no less tender of the privileges of parliament, and thinking himself no less concerned, that they be

not broken, and that they be asserted and vindicated whensoever they are so, than the parliament itself, hath thought fit to add to his last message this profession, that in all his proceedings against the lord Kymbolton, master Hollis, sir Arthur Haslerig, master Pym, master Hampden, and master Strode, he had never the least intention of violating the least privilege of parliament; and, in case any doubt of breach of privileges remain, will be willing to clear that, and assert those, by any reasonable way that his parliament shall advise him to. Upon confidence of which, he no way doubts his parliament will forthwith lay by all jealousies, and apply themselves to the public and pressing affairs, and especially to those of Ireland, wherein the good of this kingdom and the true religion (which shall ever be his majesty's first care) are so highly and so nearly concerned: and his majesty assures himself, that his care of their privileges will increase their tenderness of his lawful prerogative, which are so necessary to the mutual defence of each other; and both which will be the foundation of a perpetual perfect intelligence between his majesty and parliaments, and of the happiness and prosperity of his people.

The questions propounded to master attorney general, by the house of commons, and his answer thereunto.

Question 1. Whether did you contrive, frame, or advise, the said articles, or any of them?—*Answer.* I will deal ingenuously and freely, and shall say the same which before I did to your lordships; I need no long time to answer this: I did none of these three, neither contrive, frame, or advise these articles, or any of them, and will be content to die if I did it.

Question 2. Whether do you know the truth of the said articles, or any of them, in your own knowledge, or by information?—*Answer.* I do know nothing of my own knowledge of the truth of this, nor of any particular, nor have heard by information; this I speak upon the truth of an honest man, and nothing was ever said unto me of this, but by my master the king.

Question 3. Whether will you undertake to make good the

said articles, or any of them, when you shall be thereunto called by due course of law?—*Answer.* By my former expression you may discern what answer I can make to this; I cannot undertake to make one tittle good in them, otherwise than my master shall command me and enable me: for of myself I cannot, nor will not, no more than one that never heard of them.

Question 4. From whom received you these articles, and by whose direction and advice did you exhibit them?—*Answer.* It was by my master the king, his express command, I did exhibit them; from his hand I did receive them.

Question 5. Whether had you any testimony or proof of these articles before the exhibiting of them?—*Answer.* For the exhibiting of these articles I received his majesty's command.

To which answer master sergeant Wilde replied, "The house of commons desires you to answer, whether you had any proof or testimony, or any information of any proof of these articles; they in no kind desire to know what you had." To this, master attorney answered, "There is nothing in this world that I shall not be most ready to; but this I desire time to consider of, in regard of a trust between a master and servant."

Die Sab. 15 Jan. 1641.

It is resolved by the house of commons, since the said answer of master attorney-general, that he hath broken the privilege of parliament, in preferring the said articles, and that the same is illegal, and he criminous for so doing; and that a charge be sent up to the lords, in the name of the house of commons, against master attorney, to have satisfaction for this great scandal and injury to the members thereof, unless, by Thursday next, he bring in his proof, and make good (if he can) the said articles against the said persons, or any of them.

His majesty's letter to the lord-keeper of the great seal of England concerning sir Edward Herbert, knight, &c.

CHARLES REX.

Right trusty and well-beloved counsellor, we greet you well,

and have thought good hereby to certify that we did, the 3rd of January last, deliver to our attorney certain articles of accusation engrossed in paper, a copy whereof we have sent here enclosed, and did then command him in our name, to acquaint our house of peers, that divers great and treasonable designs and practices against us and the state had come to our knowledge; for which we commanded him, in our name, to accuse the six persons in the said paper mentioned of high treason, and other high misdemeanours, by delivering the paper to our said house, and to desire to have it read, and further to desire in our name, that a select committee of lords might be appointed to take the examinations of such witnesses as we would produce, and as formerly had been done in cases of like nature, according to the justice of the house, and the committee to be under a command of secrecy as formerly, and further in our name to ask liberty to add and alter, if there should be cause: we do further declare, that our said attorney did not advise or contrive the said articles, nor had any thing to do with, or in advising any breach of privilege that followed after. And for what he did in obedience to our commands, we conceive he was bound by oath and the duty of his place, and by the trust by us reposed in him so to do: and, had he refused to obey us therein, we would have questioned him for breach of oath, duty, and trust.

But now, having declared that we find cause wholly to desist from proceeding against the persons accused, we have commanded him to proceed no further therein, nor to produce nor discover any proof concerning the same.

Given at Royston, the 4th of March, 1641.

*His majesty's message, sent to both houses of parliament,
20th January 1641.*

His majesty, perceiving the manifold distractions which are now in this kingdom, which cannot but bring great inconvenience and mischiefs to this whole government; in which as his majesty is most chiefly interested, so he holds himself, by many reasons, most obliged to do what in him lies for the preventing thereof; though he might justly expect (as

most proper for the duty of subjects) that propositions for the remedies of these evils ought rather to come to him than from him ; yet (his fatherly care of all his people being such, that he will rather lay by any particular respect of his own dignity than that any time should be lost for prevention of these threatening evils, which cannot admit the delays of the ordinary proceedings in parliament) doth think fit to make this ensuing proposition to both houses of parliament : that they will, with all speed, fall into a serious consideration of all those particulars, which they shall hold necessary, as well for the upholding and maintaining of his majesty's just and regal authority, and for the settling of his revenue, as for the present and future establishment of their privileges ; the free and quiet enjoying of their estates and fortunes ; the liberties of their persons ; the security of the true religion now professed in the church of England ; and the settling of ceremonies in such a manner as may take away all just offence. Which when they shall have digested, and composed into one entire body, that so his majesty and themselves may be able to make the more clear judgment of them ; it shall then appear, by what his majesty shall do, how far he hath been from intending or designing any of those things which the too great fears and jealousies of some persons seem to apprehend ; and how ready he will be to equal and exceed the greatest examples of the most indulgent princes in their acts of grace and favour to their people. So that, if all the present distractions (which so apparently threaten the ruin of this kingdom) do not (by the blessing of Almighty God) end in an happy and blessed accommodation, his majesty will then be ready to call heaven and earth, God and man, to witness, that it hath not failed on his part.

Die Jovis, 20 Januarii, 1641.

LORDS' HOUSE.

Whereas the lords in the upper house of parliament do find that there are many petitions concerning private persons depending now before their lordships, and conceive that many more may be brought into that house, if timely advertisement be not given to the contrary ; which may occasion the repair and attendance of divers of his majesty's loving subjects upon

their lordships, who cannot give a despatch to private businesses, by reason of the many public and great affairs that now lie before them, concerning the safety and weal of his majesty's kingdoms :

It is therefore thought fit, and so ordered by the lords in parliament, that all private businesses shall be hereby deferred and put off, until the 21st of March next; whereof this house doth hereby give notice to all his majesty's loving people, to prevent the charge and trouble which otherwise the petitioners might be put unto in repairing unto this house, at this time.

His majesty's letter, January 24, in answer to the petition of both houses of parliament, as it was presented by the earl of Newport, and the lord Seymer, January 21, 1641.

His majesty having seen and considered the petition presented unto him, the 21st of this instant, by the earl of Newport and the lord Seymer, in the names of both houses of parliament, is pleased to return this answer. That he doth well approve of the desire of both houses, for the speedy proceeding against the persons mentioned in the petition; whereof his majesty, finding the great inconveniences by the first mistake in the way, hath endured some delays, that he might be informed in what order to put the same. But, before that that be agreed upon, his majesty thinks it unusual or unfit to discover what proof is against them, and therefore holds it necessary (lest a new mistake should breed more delays; which his majesty, to his power, will avoid) that it be resolved whether his majesty be bound, in respect of privileges, to proceed against them by impeachment in parliament; or whether he be at liberty to prefer an indictment at the common law, in the usual way, or have his choice of either: whereupon his majesty will give such speedy directions for prosecution, as shall show his majesty's desire to satisfy both houses, and to put a determination to the business.

Scots commissioners proposition, 24 January 1641, touching the sending of the two thousand five hundred men into Ireland.

Concerning the proposition made to us, the 22nd of Jan.,

from the committees of both houses for the transporting presently to Ireland of the two thousand five hundred men now on foot in Scotland ; we, having no instruction for that end, cannot, by ourselves, condescend otherwise than upon the closure of the treaty : but shall most heartily represent it to the council of Scotland, and second the same with our earnest desires, that every thing may be done, which may contribute to the preservation of that kingdom, and may testify our brotherly affection to this. And, that we may be the more able to move the council to condescend to the same, we desire the propositions following to be granted :

1. That provision of victuals be presently sent to Carrickfergus, to be sold to our soldiers at reasonable rates, answerable to their pay.

2. That an order be set down how they shall be paid there, and from whom they may require the same.

3. That they have the command and keeping of the town and castle of Carrickfergus, with power to them to remain still within the same, or to enlarge their quarters, and to go abroad in the country upon such occasions as their officers in their discretion shall think expedient for the good of that kingdom. And if it shall be thought fit that any regiments or troops in that province shall join with them, that they receive orders from the commanders of our forces.

4. That provision of match, powder, and ball be presently sent to Carrickfergus ; and what arms, ammunition, or artillery shall be sent over with them from Scotland, that the like quantity be sent from hence to Scotland, whensoever the same shall be demanded.

5. That a part of the 30,000*l.* of the brotherly assistance be presently advanced to us, which although, in a just proportion to these men, it will amount but to 7500*l.*, yet, for the better furthering of the service, we desire 10,000*l.*, if it may stand with your convenience.

6. That their pay, which was condescended unto from the 8th of December, be presently advanced to the 8th of Feb. next, against which time we are confident they shall be ready to march.

7. That a man of war, or some merchants' ships, be sent from Bristol, Westchester, or Dublin, to Lochryan, for a safe

convoy and guard of the passage, because they, being in open boats, may be subject to inconveniences from the enemy, whose frigates we hear are towards that coast.

8. That the sending over of these men be without prejudice to the proceeding of the treaty, which we desire may go on without any delay.

Westm. 24 Jan. 1641.

IA. PRYMROSE.

Resolved, that the house of commons doth agree unto these particular propositions now presented from the Scots commissioners.

Ordered, that the house of peers agreeth with the house of commons unto these propositions from the Scots commissioners in every particular.

His majesty's answer to the proposition above mentioned, given the 26th of Jan. 1641, at Windsor.

His majesty, having perused and considered these eight propositions presented by the Scots commissioners, doth willingly consent to them all, except only the third, which his majesty doth not approve, and wisheth the houses to take that article again into consideration, as a business of very great importance, which his majesty doubts may be prejudicial to the crown of England and the service intended: and, if the houses desire it, his majesty shall not be unwilling to speak with the Scots commissioners, to see what satisfaction he can give them therein.

His majesty's further answer to the third article of the said proposition of the Scots commissioners, resolved on the 26th, and given the 27th of January 1641, at Windsor.

After that his majesty had (yesterday) sent his opinion concerning the articles which the Scots commissioners gave in, touching the present supplies to be sent for Ireland, they themselves waited on him, their chief errand being the self-same business; whereupon his majesty thought it fit to persuade them (as much as he could) to alter the third article, because he conceived it might be a prejudice to the crown of England, the particulars whereof were too long to relate: their only argument that weighed with him, being, that (since

it was agreed upon by both houses of parliament, and that the strength of his majesty's argument was, that article implied too great a trust for auxiliary forces) they were in good hope that his majesty, being their native king, would not show less trust in them than their neighbour nation. So that the question being (merely) of trust, and that both houses of parliament have thought fit to grant it, (though his majesty could wish that that third article were drawn more for the advantage of the crown of England than he conceives it is,) his majesty cannot but wholly admit of the advice of his parliament in this particular, especially since his majesty perceives, that insisting upon the same would breed a great delay in the necessary supply of his kingdom of Ireland.

To the king's most excellent majesty.

The humble petition of the knights, citizens, and burgesses of the commons' house, now in parliament assembled [January 26, 1641-42.]

Humbly sheweth,

That, whereas the houses of parliament have received a gracious message from your majesty, dated the 20th day of this instant January, your petitioners return to your majesty most humble thanks, resolving to take it into speedy and serious consideration. And, to enable them with security to discharge their duties therein, they desired the house of peers to join with them, in humbly beseeching your sacred majesty to raise up unto them a sure ground of safety and confidence, by putting the Tower, and other principal forts of the kingdom, and the whole militia thereof, into the hands of such persons as your parliament might confide in, and as should be recommended unto your majesty by both houses of parliament, that, all fears and jealousies being laid aside, they might, with all cheerfulness, proceed to such resolutions as, they hoped, would lay a sure foundation of honour, greatness, and glory to your majesty and your royal posterity, and of happiness and prosperity unto your subjects throughout all your dominions. Wherein the house of peers have refused to join with your petitioners. They, notwithstanding, no way discouraged, but confiding in your majesty's goodness to your

people, do therefore make their humble address to your majesty, to beseech you, that the Tower of London, and other principal forts, and the whole militia of the kingdom, may be put into the hands of such persons as shall be recommended unto your majesty by your petitioners; not doubting but they shall receive a gracious and speedy answer to this their humble desire; without which, in all human reason, the great distractions of this kingdom must needs overwhelm it with misery and ruin.

And your petitioners shall ever pray, &c.

*His majesty's answer to the petition of the commons' house,
January 28, 1641.*

His majesty having seriously considered of the petition presented to him from the house of commons, on Wednesday the 26th of this month, returns this answer:

That he was in good hope his gracious message, of the 20th of this month, to both houses, would have produced some such overture, which, by offering what is fit on their parts to do, and asking what is proper for his majesty to grant, might beget a mutual confidence in each other.

Concerning the Tower of London, his majesty did not expect, that, having preferred a person^d of a known fortune and unquestionable reputation to that trust, he should be pressed to remove him, without any particular charge objected against him; and therefore returns this answer:

That if, upon due examination, any particular shall be presented to his majesty, whereby it may appear that his majesty was mistaken in his opinion of this gentleman, and that he is unfit for the trust committed to him, his majesty will make no scruple of discharging him; but otherwise, his majesty is obliged, in justice to himself, to preserve his own work, lest his favour and good opinion may prove a disadvantage and misfortune to his servants, without any other accusation; of which, his majesty doubts not, his house of commons will be so tender, (as of a business wherein his majesty's honour is so much concerned,) that, if they find no material exception against this person, they will rather endeavour to satisfy and

^d Sir John Byron.

reform the fears of other men, than, by complying with them, press his majesty to any resolution which may seem so much to reflect upon his honour and justice.

For the forts and castles of the kingdom, his majesty is resolved that they shall always be in such hands (and only such) as the parliament may safely confide in ; but the nomination of any persons to those places (being so principal and inseparable a flower of his crown, vested in him, and derived unto him from his ancestors, by the fundamental laws of the kingdom) he will reserve to himself ; in bestowing whereof, as his majesty will take care that no corrupt or sinister courses shall prevail with him, so he is willing to declare, that he shall not be induced to express that favour so soon to any persons as to those whose good demeanour shall be eminent in or to his parliament. And if he now hath, or shall at any time by misinformation confer such a trust upon an undeserving person, he is, and will always be, ready to leave him to the wisdom and justice of his parliament.

For the militia of the kingdom, (which by the law is subject to no command but of his majesty, and of authority lawfully derived from him,) when any particular course for ordering the same (which his majesty holds very necessary for the peace and security of his kingdom) shall be considered and digested by his parliament, and proposed to his majesty, his majesty will return such an answer as shall be agreeable to his honour and the safety of his people, his majesty being resolved only to deny those things, the granting whereof would alter the fundamental laws, and endanger the very foundation, upon which the public happiness and welfare of his people is founded and constituted, and would nourish a greater and more destructive jealousy between the crown and the subject, than any of those which would seem to be taken away by such a satisfaction.

And his majesty doth not doubt, that his having granted more than ever king hath granted, will ever persuade his house of commons to ask more than ever subjects have asked. And if they shall acquaint his majesty with the particular grounds of their doubts and fears, he will very willingly apply remedies proportionable to those fears ; for his majesty calls God to witness, that the preservation of the public peace, the

law, and the liberty of the subject, is, and shall always be, as much his majesty's care and industry, as of his life, or the lives of his dearest children.

And therefore his majesty doth conjure his house of commons, by all the acts of duty and favour they have received from him this parliament, by their hopes of future happiness in his majesty and in one another, by their love of religion and the peace of this kingdom, (in which that of Ireland cannot be forgotten,) that they will not be transported by jealousies and apprehensions of possible dangers, to put themselves or his majesty into real and present inconveniences, but that they will speedily pursue the way proposed by his majesty's former message, which, in human reason, is the only way to compose the distractions of the kingdom, and, with God's blessing, will restore a great measure of felicity to king and people.

Die Sabbat. 29 Januarii, 1641.

An order made by both houses of parliament, to prevent the going over of popish commanders into Ireland, and also to hinder the transportation of arms, ammunition, money, corn, victuals, and all other provision to the rebels, and for the sending back of the Irish papists lately come over.

Whereas great numbers of papists, both English and Irish, (some whereof have been and are commanders in the wars, and others such as have estates in England,) have gone out of this kingdom into Ireland, immediately before and during the barbarous and bloody rebellion there, and traitorously joined themselves with the rebels of that nation against his majesty and the crown of England; and likewise divers other popish commanders, and such as have estates in England, are daily preparing to go thither, to the same wicked ends: and great store of arms, ammunition, money, corn, and other victuals and provisions, have been sent and are daily preparing to be sent to that kingdom, for the assistance and encouragement of those rebels: for prevention whereof, the lords and commons in this present parliament assembled do hereby order, and straitly charge and command, all sheriffs, justices of the peace, mayors, bailiffs, constables, and other

his majesty's officers, within the realm of England and dominion of Wales, that they apprehend and examine all such persons as they shall suspect to be papists, and going out of this kingdom or the dominion of Wales into Ireland. And that they make also stay of all arms, munition, money, corn, and other victuals and provisions, which they shall suspect to be preparing for transportation into Ireland, for the aid and relief of the rebels there, and to give speedy notice thereof unto the parliament.

And whereas, also, divers poor people, men, women, and children, of the Irish nation, and papists, have lately come in great numbers out of Ireland into Cornwall, Devon, and other parts of this kingdom, where they have been and are very disorderly, and much terrify the inhabitants where they come, and due care is not taken in all places for the suppressing and punishing of them: the lords and commons in this parliament assembled do hereby further order and require all officers before-mentioned, that they put the laws in due execution against such wandering Irish papists before expressed, and that they cause them to be forthwith conveyed back into that kingdom.

This order was read, and, by vote upon the question, assented unto, and ordered to be fair written, and sent up to the lords by master Carew.

Master Carew brings answer, that the lords do fully agree with the house in this order.

HEN. ELSING, Cler. Parl. Dom. Com.

To the king's most excellent majesty.

The humble petition of the lords and commons assembled in parliament.

MOST GRACIOUS SOVEREIGN,

The present evils and calamities wherewith your kingdoms are most miserably entangled, the imminent dangers which threaten your royal person and all your people, have caused us, your most faithful and obedient subjects, the lords and commons in this present parliament, with thankfulness to entertain, and with all earnestness of affection and endeavour to pursue, the gracions proposition and direction, which, not

long since, we have received from your majesty : and we have thereupon taken into our most serious consideration the ways and means of securing the safety of your royal person, preserving the honour and authority of your crown, removing all jealousies betwixt your majesty and your people, suppressing the rebellion in Ireland, preventing the fears and dangers in this kingdom, and the mischievous designs of those who are enemies to the peace of it. And that we may, with more comfort and security, accomplish our duties herein, we most humbly beseech your majesty, that you will be pleased forthwith to put the Tower of London, and all other forts, and the whole militia of the kingdom, into the hands of such persons as shall be recommended unto your majesty by both houses of parliament, which they assure themselves will be a hopeful entrance into those courses, which, (through God's blessing,) shall be effectual for the removing all diffidence and misapprehension betwixt your majesty and your people, and for establishing and enlarging the honour, greatness, and power of your majesty and royal posterity, and for the restoring and confirming the peace and happiness of your loyal subjects in all your dominions.

And to this our most necessary petition we in all humility expect your majesty's speedy and gracious answer, the great distractions and distempers of the kingdom not admitting any delay.

To the king's most excellent majesty.

*The humble petition of the lords and commons now assembled
in parliament,*

Showeth,

That whereas your majesty, by a message sent to both houses of parliament, signified an apprehension of some treasonable matter to have been committed by the lord Kymbolton, master Hollis, sir Arthur Haslerigg, master Pym, master Hampden, and master Strode ; and thereby declared your majesty's intention to proceed against them in an unquestionable way ; we the lords and commons in this present parliament assembled, did make our humble petition to your majesty, to beseech your majesty to give directions, that your

parliament might be informed, before Tuesday then next ensuing, what proof there was against them, that accordingly there might be a legal and parliamentary proceeding against them, whereby they might be brought to condign punishment, if guilty; or discharged from so heavy an accusation, if innocent: and whereas your majesty was graciously pleased, in answer to that petition, to express your good approbation of the desire of both houses for the speedy proceeding against the persons in that petition mentioned, yet your majesty gave no other satisfaction to their desire than this, that your majesty held it necessary, lest a new mistake should breed more delays, that it should be resolved, whether your majesty were bound, in respect of privileges, to proceed against them by impeachment in that parliament, or to be left at liberty to prefer an indictment at the common law, in the usual way, or to have your choice of either; and we finding still that there is no legal and parliamentary proceeding against them, and that they still lie under the burden of that high charge, we think it our duty once again to beseech your majesty to give directions, that your parliament may be informed, before Friday next, what proof there is against them, that accordingly they may be called to a legal trial, it being the undoubted right and privilege of parliament that no member of parliament can be proceeded against without the consent of parliament: and this we most humbly conceive ourselves obliged to ask, it being no less agreeable with justice, to have the innocency of parties unjustly charged, manifested, than to bring the nocent to their just punishment.

His majesty's answer to two petitions of the lords and commons, delivered 2nd February 1641.

His majesty, having well considered of the two several petitions, presented unto him on Wednesday, the 2nd of this month, from both houses of parliament, and being desirous to express how willing he is to apply a remedy, not only to your dangers, but even to your doubts and fears; he, therefore, to that petition, which concerns the forts and militia of this kingdom, returns this answer; that, when he shall know the extent of power which is intended to be established in those

persons whom you desire to be the commanders of the militia in the several counties ; and likewise to what time it shall be limited, that no power shall be executed by his majesty alone, without the advice of parliament ;

Then he will declare, that (for the securing you from all dangers or jealousies of any) his majesty will be content to put in all the places, both of forts and militia, in the several counties, such persons as both the houses of parliament shall either approve or recommend unto him, so that you declare before unto his majesty the names of the persons whom you approve or recommend : unless such persons shall be named, against whom he shall have just and unquestionable exceptions.

To the other petition, concerning the members of either house, his majesty returns this answer, That as he once conceived that he had ground enough to accuse them, so now his majesty finds as good cause wholly to desert any prosecution of them.

And, for a further testimony of his majesty's real intention towards all his loving subjects, (some of whom, happily, may be involved in some unknowing and unwilling errors,) for the better composing and settling of all fears and jealousies, of what kind soever, his majesty is ready to grant as free and general a pardon, for the full contentment of all his loving subjects, as shall, by the approbation of both houses of parliament, be thought convenient for that purpose.

His majesty's consent for the princess Mary's going to Holland, and her majesty to accompany her thither.

His majesty, being very much pressed by the States' ambassador to send the princess his daughter immediately into Holland, and being likewise earnestly desired by his royal consort the queen to give her majesty leave to accompany her daughter thither, hath thought fit to consent to both desires, and to make this his majesty's consent and her majesty's resolution known to his parliament.

Her majesty's answer to a message of both houses.

The queen, having received a message from both houses of

parliament by the earl of Newport and the lord Seymour, intimating unto her that she had been told that the house of commons had an intention to accuse her of high treason, and that articles to that purpose had been showed unto her, returns this answer :

That there was a general report of an accusation intended against her, but she never saw any articles in writing, and having no certain author, either for the one or for the other, she gave little credit thereunto, and much less now, being assured from the house of commons that never any such thing came into their thoughts.

Nor will she believe they would lay an aspersion upon her, who hath ever been very unapt so far to misconstrue the actions of any one person, and much more the proceedings of parliament, and shall, at all times, wish a happy understanding between the king and his people.

His majesty's message, sent to the house of commons, concerning licenses granted by his majesty to several persons to pass into Ireland, [February 7, 1641-42.]

His majesty, taking notice of a speech, pretending in the title to have been delivered by master Pym in a conference, and printed by order of the house of commons, in which it is affirmed, that, since the stop upon the ports against all Irish papists by both houses, many of the chief commanders, now in the head of the rebels, have been suffered to pass by his majesty's immediate warrant ; and being very certain of having used extreme caution in the granting of passports into Ireland ; so that he conceives, either this paper not to have been so delivered and printed as it pretends, or this house to have received some misinformation :

His majesty would be resolved, whether this speech were so delivered and printed ; and if it were, would have this house to review upon what informations that particular was grounded ; that either that may be found upon reexamination to have been false, and both this house and his majesty injured by it ; or that his majesty may know by what means and by whose fault his authority hath been so highly abused as to be made to conduce to the assistance of that rebellion, which he

so much detests and abhors, and that he may see himself fully vindicated from all reflections of the least suspicion of that kind.

The answer of the house of commons.

Your majesty's most loyal and faithful subjects, the commons now assembled in parliament, have taken into their serious consideration the message received from your majesty the 7th of this instant February, and do acknowledge, that the speech therein mentioned to be delivered by M. Pym, in a conference, was printed by their order, and that what was therein delivered was agreeable to the sense of the house. And touching that passage wherein it is affirmed, that, since the stop upon the ports against all Irish papists by both houses, many of the chief commanders now in the head of the rebels have been suffered to pass by your majesty's immediate warrants, they present your majesty with this their humble answer :

That they have received divers advertisements concerning the several persons (Irish papists and others) which have obtained your majesty's immediate warrants for their passing into Ireland since the order of restraint, of both houses, some of which, (as they have been informed,) since their coming into Ireland, have joined with the rebels, and been commanders amongst them, and some others have been stayed, and are yet in safe custody ; particularly the lord Delvin, and four other persons in his company ; whereof one is thought to be a priest, one colonel Butler, brother to the lord Minyart, now in rebellion, and sir George Hamilton ; all which are papists ; and one other, (as is reported,) being son of the lord Nettersfield, whose father and brother are both in rebellion : the particular names of others we have not yet received, but doubt not, but upon examination, they may be discovered.

And your majesty's most faithful subjects are very sorry that the extreme caution which your majesty hath used hath been so ill seconded with the diligence and faithfulness of your ministers, and that your royal authority should be so highly abused ; although (as it was expressed in that speech

by master Pym) we believe it was by the procurement of some evil instruments, too near your royal person, without your majesty's knowledge and intention. And we beseech your majesty to take such course, that not only your honour may be vindicated for the time past, but your kingdom may be secured from the like mischief for the time to come.

Read, and, by vote upon the question, assented unto, [Feb. 10, 1641-42.]

His majesty's reply to the house of commons answer concerning licenses granted by the king to several persons to go into Ireland.

As his majesty hath expressed a great desire to give his house of commons all possible satisfaction to all their just requests, and a readiness to rectify or retract any thing done by himself which might seem to trench upon their privileges by any mistake of his; so he doubts not they will be ready, upon all occasions, to manifest an equal tenderness and regard of his majesty's honour and reputation with his good subjects; and therefore his majesty expects they should review his message, of the 7th of this month, concerning a passage in master Pym's speech, and their answer, sent to his majesty by some of their members on the 10th of the same; with which his majesty can by no means rest satisfied.

His majesty's exception in that message was, that it was affirmed in that speech, that, since the stop upon the ports against all Irish papists by both houses, many of the chief commanders now in the head of the rebels have been suffered to pass by his majesty's immediate warrant.

To this, the answer is :

That the speech, mentioned in that message to be delivered by M. Pym, was printed by their order, and that what was therein delivered was agreeable to the sense of the house: that they have received divers advertisements, concerning several persons, Irish papists, and others, who have obtained his majesty's immediate warrant for their passing into Ire-

land since the order of restraint, of both houses ; some of which, they have been informed, since their coming into Ireland, have joined with the rebels, and been commanders amongst them.

His majesty is most assured no such person hath passed by his warrant or privy : and then he desires his house of commons to consider whether such a general information and advertisement (in which there is not so much as the name of any particular person mentioned) be ground enough for such a direct and positive affirmation as is made in that speech, which, in respect of the place and person, and, being now acknowledged to be agreeable to the sense of the house, is of that authority, that his majesty may suffer in the affections of many of his good subjects, and fall under a possible construction (considering many scandalous pamphlets to such a purpose) of not being sensible enough of that rebellion, so horrid and odious to all Christians, by which, in this distraction, such a danger might possibly ensue to his majesty's person and estate, as, he is well assured, his house of commons will use their utmost endeavours to prevent. And therefore his majesty thinks it very necessary, and expects, that they name those persons who by his majesty's license have passed into Ireland, and are now there in the head of the rebels ; or that, if, upon their reexamination, they do not find particular evidence to prove that assertion, (as his majesty is confident they never can,) as this affirmation (which may reflect upon his majesty) is very public, so they will publish such a declaration whereby that mistake may be discovered ; his majesty being the more tender in that particular which hath reference to Ireland, as being most assured that he hath been, and is, from his soul, resolved to discharge his duty (which God will require at his hands) for the relief of his poor protestant subjects there, and the utter rooting out that rebellion ; so that service hath not suffered any but necessary delays, by any act of his majesty's, for the want of any thing proposed to his majesty, within his majesty's power to do.

For the persons named in the answer, his majesty saith, that colonel Butler and the son of the lord Nettersfield obtained his warrants for their passage into Ireland [during the

time of] his majesty's being in Scotland, which was long (as his majesty thinks) before the order of both houses: his majesty, knowing the former of them to be one who hath always made professions to his service, and to be uncle to the earl of Ormond, of whose affection to the protestant religion and his majesty's service his majesty hath great cause to be assured; and the latter being a person of whom at that time there was no suspicion to his majesty's knowledge. For the others, it may be, they have obtained warrants from his majesty since the said order; but his majesty assures the parliament that he had no intimation of such an order till after stay made of sir George Hamilton, who was the last that had any license from his majesty to pass for Ireland.

And his majesty, having, since this answer from the house of commons, used all possible means, by the examining his own memory and the notes of his secretaries, to find what warrants have been granted by him, and to what persons, doth not find that he hath granted any to any Irish but those who are named by the house of commons, and, in December last, to the earl of St. Alban's and to two of his servants, and to one Walter Terrel, a poor man; they being such as, his majesty is assured, are not with the rebels, and, much less, chief commanders over them. And though, it may be, the persons named by the house of commons are papists, yet his majesty at that time thought it not fit (in respect of their alliance in that kingdom to such persons of great power, of whom his majesty hoped well) to discover any suspicion of them; the lords justices having declared by their letters, (which letters were not disapproved of by the parliament here,) that they were so far from owning a public jealousy of all papists there, that they had thought fit to put arms into the hands of divers noblemen of the pale of that religion, who made professions to his majesty's service, and desired the same. And, since so great a trust reposed in some of the lords of that religion was not disapproved by the parliament here, his majesty could not imagine it unsafe or unfit for him to give licenses to some few to pass into that kingdom, who, though papists, professed due allegiance and loyalty to his majesty.

And therefore, unless the first affirmation of the house of

commons can be made good by some particulars, his majesty doth not know that his ministers have failed in their diligence and faithfulness to his majesty in this point, or that his honour hath suffered so much by any act of his own, as that it needs be vindicated for the time past by any other way than such a declaration which he expects from this house, as in duty and justice due to his majesty.

A message from his majesty to the house of peers, on Friday the 11th of February, 1641, concerning his acceptance of sir John Coniers, in the place of sir John Byron, to be lieutenant of the Tower.

Although his majesty conceives that he is not obliged to give an answer in any particular concerning the forts and militia of the kingdom, until he shall know and consent to the power and the time, how and to whom, the forts and militia shall be disposed; yet, to show his real intention to satisfy the fears of his people, he is content to accept of sir John Coniers, in the place of sir John Byron, for to be lieutenant of the Tower of London, having already, at his earnest desire, received the surrender of the said place from him.

A true and exact list of those persons nominated and recommended by the house of commons to his majesty as persons fit to be intrusted with the militia of the kingdom: wherein they desire the concurrence of the house of peers, Feb. 12, 1641.

Berkshire, earl of Holland; Bedfordshire, earl Bullingbroke; Buckinghamshire, lord Paget; Cambridgeshire and the isle of Ely, lord North; Cheshire, and the county and city of Chester, lord Strange; Cornwall, lord Robarts; Cumberland, lord Gray of Wark; Derby, earl of Rutland; Devonshire, and of the county and city of Exon, earl of Bedford; Dorsetshire, and the county of the town of Poole, earl of Salisbury; for the isle of Purbeck com. Dorset, sir John Banks, knight, lord chief-justice of the common pleas and constable of Corffe castle; Durham, sir Henry Vane the elder; Essex, earl of Warwick; Gloucestershire, and of the county and city of Gloucester, lord Chandois; Hampshire, and of the town and county of Southampton, and of the Isle

of Wight, earl of Pembroke; Hartfordshire, earl of Salisbury; Herefordshire, lord Dacres; Huntingdonshire, lord Mandevile; Kent, and the city and county of Canterbury, earl of Leicester; com. Lancaster, lord Wharton; Leicester, earl of Stamford; Middlesex, earl of Holland; com. Northampton, lord Spencer; Nottingham, and of the town and county of Nottingham, earl of Clare; Northumberland, and of the town and county of Newcastle, and of the town of Barwick, earl of Northumberland; Norfolk, and of the county and city of Norwich, earl of Warwick; Oxfordshire, lord Viscount Say and Seal; Rutland, earl of Exon; Salop, lord Littleton, lord-keeper of the great seal of England; Somerset, marquis Hertford.

That the lieutenant of the county of Worcester shall be nominated before Somerset.

Staffordshire, and of the county of the city of Lichfield, earl of Essex; Suffolk, earl of Suffolk; Surry, earl of Nottingham; Sussex, earl of Northumberland; Warwick, and of the county of the city of Coventry, lord Brooke; Westmorland, earl of Cumberland; Wilts, earl of Pembroke; Wigorn, and of the county of the city of Worcester, lord Edward Howard of Eserig; for the county and city of Bristol, master Denzil Hollis; Yorkshire, and of the county of the city of York, and of the county of the town of Kingston-on-Hull, earl of Essex; of the parts of Kestaven and Holland, and the county of the city of Lincoln, earl of Lincoln; for the parts of Lindsay, in the county of Holland, lord Willoughby of Parham; Monmouth, lord Philip Herbert; isle of Anglesey, earl of Northumberland; Brecknock, lord Philip Herbert; Cardigan, earl of Carbery; Carmarthen, and Carmarthen town, earl of Carbery; Carnarvon, earl of Pembroke; Denbigh, lord Fielding; Flintshire, lord Fielding; Glamorgan, lord Philip Herbert; Montgomery, earl of Essex; Merioneth, earl of Pembroke; Pembroke, and the town of Haverfordwest, earl of Northumberland; Radnor, lord Littleton, lord-keeper of the great seal of England.

That for the levying, ordering, and exercising the militia of the city of London power is given unto sir John Gaire, sir Jacob Garret, knights and aldermen, Thomas Atkin, alderman, sir John Wollastone, knight and alderman, John Warner,

alderman, and John Towse, alderman, sergeant-major-general Skippon, or any three [or] more of them, Randolph Manwaring, William Gibs, John Fowke, James Bunce, Francis Peck, Samuel Warner, James Russell, Nathaniel Wright, William Barkley, Alexander Normington, Stephen Estweeke, Owen Rowe, citizens of London, or any six or more of them.

*His majesty's message to both houses of parliament,
February 14, 1641.*

Though his majesty is assured, that his having so suddenly passed these two bills, being of so great importance, and so earnestly desired by both houses, will serve to assure his parliament that he desires nothing more than the satisfaction of his kingdom; yet, that he may further manifest to both houses how impatient he is, till he find out a full remedy to compose the present distempers, he is pleased to signify,

That his majesty will by proclamation require, that all statutes made concerning recusants be, with all care, diligence, and severity, put in execution.

That his majesty is resolved, that the seven condemned priests shall be immediately banished, if his parliament shall consent thereunto: and his majesty will give present order (if it shall be held fit by both houses) that a proclamation issue, to require all Romish priests within twenty days to depart the kingdom; and if any shall be apprehended after that time, his majesty assures both houses, in the word of a king, that he will grant no pardon to any such without consent of his parliament.

And because his majesty observes great and different troubles to arise in the hearts of his people concerning the government and liturgy of the church, his majesty is willing to declare, that he will refer that whole consideration to the wisdom of his parliament, which he desires them to enter into speedily, that the present distractions about the same may be composed; but desires not to be pressed to any single act on his part till the whole be so digested and settled by both houses, that his majesty may clearly see what is fit to be left, as well as what is fit to be taken away.

For Ireland, (in behalf of which his majesty's heart bleeds,)

as his majesty hath concurred with all propositions made for that service by his parliament, so he is resolved to leave nothing undone for their relief which shall fall within his possible power, nor will refuse to venture his own person in that war, if his parliament shall think it convenient, for the reduction of that miserable kingdom.

And, lastly, his majesty, taking notice, by several petitions, of the great and general decay of trade in this kingdom, and more particularly of that of clothing and new draperies, (concerning which he received lately at Greenwich a modest, but earnest, petition from the clothiers of Suffolk,) of which decay of trade his majesty hath a very deep sense, both in respect of the extreme want and poverty it hath brought and must bring upon many thousands of his loving subjects, and of the influence it must have in a very short time upon the very subsistence of this nation, doth earnestly recommend the consideration of that great and weighty business to both houses; promising them, that he will most readily concur in any resolution their wisdoms shall find out, which may conduce to so necessary a work.

The lords and commons assembled in parliament, do, with much joy, receive and with thankfulness acknowledge, your majesty's grace and favour, in giving your royal assent to a bill, entitled, "An act for disenabling all persons in holy orders to exercise any temporal jurisdiction or authority:" and also your majesty's care for Ireland, expressed in the despatch of the bill of pressing, so much importing the safety of that and this kingdom.

To the king's most excellent majesty.

*The humble petition of the lords and commons now assembled
in parliament,*

Showeth,

That your majesty, in answer to their late petition touching the proceedings against the lord Kymbolton, master Hollis, sir Arthur Haslerigg, master Pym, master Hampden, and master Strode, members of the parliament, was pleased to signify, that as your majesty once conceived that you had

ground enough to accuse them, so now your majesty finds as good cause wholly to desert any further prosecution of them. Notwithstanding which, they remain still under that heavy charge so imputed unto them, to the exceeding prejudice, not only of themselves, but also of the whole parliament. And whereas, by the express laws and statutes of this your realm, that is to say, by two acts of parliament, the one made in the 37th and the other in the 38th year of the reign of your most noble progenitor king Edward the Third, “ If any person whatsoever makes suggestion to the king himself, of any crime committed by another, the same person ought to be sent with the suggestion before the chancellor or keeper of the great seal, treasurer, and the great council, there to find surety to pursue his suggestion; which if he cannot prove, he is to be imprisoned till he hath satisfied the party accused of his damages and slander, and made fine and ransom to the king:” the said lords and commons humbly beseech your majesty, that, not only in point of justice to the said members in their particulars, but for the vindication of the rights and privileges of parliament, your majesty will be pleased to send the person or persons, that in this case made the suggestions or informations to your majesty against the said members of parliament, together with the said suggestions or informations, to your parliament, that so such fruits of the said good laws may be had as was intended by them, and the rights and privileges of parliament may be vindicated: which of right and justice ought not to be denied.

An ordinance of both houses of parliament, for the safeguard of the parliament, tower, and city of London, under the command of sergeant-major-general Skippon.

Whereas, upon the 12th of January last past, (amongst other things in that order,) it is ordered by the lords and commons in parliament, in these words: “And for the better safeguard of the Tower, it is further ordered by both houses of parliament, that the sheriffs of London and Middlesex shall appoint and place a sufficient guard about the Tower, both by land and water, under the command of sergeant-major-general Skippon, commander of the guards of the par-

liament, and that those guards be careful to see the former order observed :” now, whereas the said sergeant-major having (in his great care and faithfulness) given his advice to the said sheriffs, concerning what guards he conceived to be fitting, and how the same guards ought to have been ordered by water and land, as he thought most advantageous for the said service : whereas also the said sergeant-major hath given his further advice and order, to divers other persons, concerning the timely discovery and preventing of any thing that might have been attempted or done, contrary to the intent of the said order of both houses of parliament.

And whereas the said sergeant-major Skippon hath, according to the trust reposed in him by the city of London, placed the trained bands of the said city at the further end of Tower-street, and in such other places within and about the city, as he conceived to be most for the safety of the city : all and every particular of the which premises, and whatsoever else in the same kind, and to the same ends, that he the said sergeant-major hath advised or done, or shall advise or do, according to the order aforesaid, is hereby well approved of and fully warranted by both houses of parliament, as being for the real good service of his majesty and the commonwealth ; as also for the safety of the parliament and city ; and is, in all and every part thereof, according to his duty, the last protestation, and the laws of this kingdom. And if any person shall arrest, or any other way trouble him for so doing, he doth break the privilege of parliament, violate the liberty of the subject, and is hereby declared an enemy to the commonwealth.

A message from a committee of both houses of parliament to the Spanish ambassador, to make stay of ships at Dunkirk intended for the supply of rebels in Ireland.

The lords and commons have commanded us to intimate to the Spanish ambassador the advertisement that they have received of certain ships lying in Dunkirk, laden with ammunition, ready to take sail, intended for the relief of the rebels of Ireland. This they hold contrary to the articles agreed upon in the treaties of peace between the two crowns ;

and therefore the ambassador is to be moved from both houses, to send speedily to Dunkirk, and to all other his majesty's dominions, and unto the king his master, to make stay of those and all such ships as may carry any supply of men, victuals, money, or any other aid, to his majesty's subjects that at this present are in rebellion in Ireland; which otherwise will be understood to be a breach of the treaties between the crowns of England and Spain, and so resented by the parliament.

The Spanish ambassador's answer to the message from a committee of both houses of parliament.

The lord ambassador of Spain, don Alonso de Cardenas, having understood what the lord Fielding, of the lords' house, and sir Thomas Barrington, baronet, and sir John Holland, baronet, of the house of commons, all three commissaries from the parliament, have said in behalf of both houses, concerning the advertisement given them, that in the haven of Dunkirk there were certain ships laden with ammunition, ready to take sail, intended for the relief of the rebels of Ireland, which they hold contrary to the articles of peace between the two crowns; and that they required he should send to Dunkirk, and all other his majesty's dominions, and that he should write unto the king his master, to make stay of those and all such ships as may carry supply of powder, victuals, money, or any other aid, to his majesty's subjects, that at this present are in rebellion in Ireland; because, otherwise, it would be understood to be a breach of the treaties between the two crowns, and so resented by the parliament:—the said ambassador of Spain answered, that, besides the understanding which he hath of the king his master's mind and intention to conserve the friendship which he professeth with his majesty of Great Britain, he hath express and most particular notice, that the ships which are now in Dunkirk-haven, laden with soldiers and ammunition, and ready to sail, neither are for Ireland, nor were they provided for any such purpose; and that this notice was given him by don Francisco de Mello, earl of Assumar, governor and captain-general of the states of Flanders, whom the resident of his majesty of Great Britain,

that assists in Brussels, assured that he is fully satisfied of their not going for Ireland, as is also his king, who signified so much unto him in a letter, in which he likewise commanded him to thank the said don Francisco de Mello, for denying leave, which certain Irish, serving in those states, had asked to return to their country, which he denied, to avoid all suspicion; notwithstanding their end for asking it was unknown. The same assurance did the same ambassador give unto the commissaries aforesaid of the parliament, concerning the mentioned ships in Dunkirk, laden with ammunition and soldiers, that they are not for Ireland; and he proffered to write to Dunkirk, and all other parts of Flanders and dominions of the king his master, and particularly to his catholic majesty, to the end, that the observance of the articles of peace (which hitherto have been so religiously observed of the king his master's part and his subjects) may be continued; and that new and strait orders be given, that no subject of his catholic majesty shall dare violate them, sending any kind of aids to foster the insurrection in Ireland, under pain of the punishment imposed upon the transgressors. And the said ambassador, to manifest the sincerity of his heart, proffered to solicit it with the readiest and most forcible means that lay in his power, hoping (as in reason he should) that his majesty of Great Britain, and the parliament, will, for their part, punctually observe the same in the aforesaid conformity towards the rebels of the king his master, not permitting any kinds of succour or assistance, in whatsoever quality, to be afforded them, from these kingdoms. Renewing for this effect all requisite orders unto the officers and ports of the said kingdoms, chastising the transgressors of what is settled in the peace with the punishments contained in the articles of it; that so, by reciprocal observance, the good correspondency, which is at this present betwixt the two crowns of Spain and England, may be assuredly maintained.

His majesty's message to both houses concerning the militia.

His majesty, having received an humble petition of the lords and commons, by the hands of the earls of Carlisle and

Monmouth, returns this answer; That his dearest consort the queen and his dear daughter the princess Mary being now upon their departure for Holland, he cannot have so good time to consider of a particular answer for a matter of so great weight as this is: therefore he must respite the same until his return.

To the king's most excellent majesty.

The humble petition of the lords and commons concerning this message.

MAY IT PLEASE YOUR MOST EXCELLENT MAJESTY,

Your humble and loyal subjects, the lords and commons, have, with a great deal of grief, received your majesty's answer to their just and necessary petition concerning the militia of the kingdom; which your majesty, by a gracious message formerly sent unto them, was pleased to promise should be put into such hands as your parliament should approve of or recommend unto you; the extent of their power, and the time of their continuance, being likewise declared. That being done, and the persons by both houses nominated, your majesty, nevertheless, refers your resolution herein to a longer and a very uncertain time, which (the present dangers and distractions so great and pressing) is as unsatisfactory and destructive as an absolute denial. Therefore we once again beseech your majesty to take our desire into your royal thoughts, and to give us such an answer as may raise in us a confidence, that we shall not be exposed to the practices of those who thirst after the ruin of this kingdom, and the kindling of that combustion in England which they have in so great a measure effected in Ireland; from whence (as we are daily informed) they intend and endeavour to invade us, with the assistance of the papists here amongst us.

Nothing can prevent these evils, nor enable us to suppress the rebellion in Ireland, and secure ourselves, but the instant granting of that our humble petition; which we hope your majesty will not deny to those who must, in the discharge of their duties, both to your majesty and the commonwealth, represent unto your majesty what they find so absolutely

necessary for the preservation of both ; which the laws, both of God and man, enjoin them to see put in execution, as several counties, by their daily petitions, have desired of us, and in some places begun already to do it of themselves. Feb. 22, 1641.

Resolved, upon the question, and assented unto, and ordered, that master Hollis carry it up to the lords, to desire their concurrence herein.

A message from both houses of parliament, sent to the king and queen's majesties, touching certain letters, lately intercepted, and, as it may be conjectured, sent from the lord Digby to the queen's majesty.

MOST GRACIOUS SOVEREIGN,

Your majesty's most loyal and faithful subjects, the lords and commons in parliament, have received your message of the 16th of this instant February, sent at the instance of the queen's majesty ; and, upon consideration thereof, to our great joy and content, find therein clear expressions of grace and favour from both your majesties : for which we return our most humble thanks ; and have herewithal sent the transcript of that letter required by your majesty, as likewise of two other letters, directed to master secretary Nicholas and sir Lewes Dives, all which were brought to us under one cover, endorsed to master secretary, with information that they were written by the lord Digby ; who, being a person fled from the justice of parliament, and one who had given many evidences of the disaffection to the public good, we conceived it necessary to open the two former, and finding sundry expressions in them full of asperity and malignity to the parliament, we thought it very probable that the like may be contained in that to her majesty, and that it would be dishonourable to her majesty and dangerous for the kingdom if it should not be opened, wherein we were no whit deceived, as your majesty may well perceive by the contents thereof.

And although we cannot but be very sensible of the great dishonour therein done to your majesties, and the malicious endeavours of fomenting and increasing the jealousy betwixt

your majesty and your people ; yet we are far from reflecting any thing upon the queen, or expecting any satisfaction from her majesty ; but impute all to the bold and envenomed spirit of the man. Only we most earnestly beseech your majesty, to persuade the queen, that she will not vouchsafe any countenance to or correspondency with the lord Digby, or any other of the fugitives or traitors whose offences now depend under the examination and judgment of parliament ; which we assure ourselves will be very effectual to further the removal of all jealousies and discontents betwixt your majesty and your people, and the settling the great affairs of your majesty and the kingdom in an assured state and condition of honour, safety, and prosperity.

A message from both houses of parliament unto his majesty concerning the prince his son.

The lords and commons in parliament humbly desire his majesty, that the prince may not be removed from Hampton-court ; and that for these ensuing reasons :

1. They conceive his majesty had resolved, that the prince should stay at Hampton-court until his majesty's return.

2. That the lord marquis Hertford, appointed by his majesty to be governor of the prince, and approved of, and commanded by the parliament to give his personal attendance on the prince, is now so indisposed in his health, that he is not able to attend the prince to any other place.

3. That the prince's removal at this time from Hampton-court may be a cause to promote jealousies and fears in the hearts of his majesty's good subjects ; which they conceive very necessary to avoid.

Die Jovis, 24 Feb. 1641.

Ordered by the lords and commons in parliament, that the lord Howard of Char. shall attend upon the king, and present these reasons unto his majesty.

JOHN BROWN, Cler. Parliament.

His majesty's answer to the reasons he received by way of message from both houses concerning the prince his son.

That his majesty intended, at his remove from Hampton

court with his royal consort the queen towards Dover, that the prince his son should stay at Hampton-court till his majesty returned to some of his houses ; and thereupon, as soon as his majesty resolved upon a certain day to be at Greenwich, he commanded that his son should attend him there, which was no way contrary to his former intention.

2. That his majesty was very sorry to hear of the indisposition of the marquis Hertford, being the person upon whom he principally relies for the care of his dearest son ; but if that indisposition should have lasted, his majesty could no ways think fit that his want of health should have hindered the prince from waiting upon his majesty according to his command ; and therefore would have been much offended if the prince had failed of meeting his majesty according to his appointment.

3. To the fears and jealousies, his majesty knows not what answer to give, not being able to imagine from what grounds they proceed. But if any information have been given to that purpose, his majesty much desires that the same may be examined to the bottom ; and then he hopes that their fears and jealousies will be hereafter continued only with reference to his majesty's rights and honour.

The votes of the lords and commons upon the propositions made by divers worthy and well-affected persons for the speedy and effectual reducing of the kingdom of Ireland.

The lords and commons, taking into their serious considerations as well the necessity of a speedy reducing of the rebels of Ireland to their due obedience, as also the great sums of money that the commons of this realm have of late paid for the public and necessary affairs of the kingdom ; whereof, the lords and commons are very sensible, and desirous to embrace all good and honourable ways, tending to his majesty's greatness and profit, the settling of that realm, and the ease of his majesty's subjects of England ; and whereas, divers worthy and well affected persons, perceiving that many millions of acres of the rebels' lands of that kingdom, which go under the name of profitable lands, will be confiscate and to be disposed of, and that in case two millions and a half of those

acres, to be equally taken out of the four provinces of that kingdom, may be allotted for the satisfaction of such persons as shall disburse any sums of money, for the reducing of the rebels there, would effectually accomplish the same, have made these propositions ensuing :

1. That two millions and an half of those acres may be assigned, allotted, and divided amongst them, after this proportion : viz.

For each adven- ture of	{	200 li. 1000 acres in Ulster.
		300 li. 1000 acres in Connaught.
		450 li. 1000 acres in Munster.
		600 li. 1000 acres in Leinster.

All according to the English measure, and consisting of meadow, arable, and profitable pasture, the bogs, woods, and barren mountains being cast in over and above. These two millions and a half of acres to be holden in free and common soccage of the king, as of his castle of Dublin.

2. That out of those two millions and an half of acres, a constant rent shall be reserved to the crown of England, after this proportion, viz.

Out of each acre thereof in	{	Ulster	1d—
		Connaught	1d—ob.
		Munster	2d—q ;
		Leinster	3d—

Whereby his majesty's revenue out of those lands will be much improved, besides the advantages that he will have by the coming to his hands of all other the lands of the rebels, and their personal estates, without any charge unto his majesty.

3. That for the erecting of manors, settling of waste and commons, maintaining of preaching ministers, creating of corporations, and regulating of the several plantations, one or more commissions be hereafter granted by authority of parliament.

4. That money for this great occasion may be the more speedily advanced, all the undertakers in the city of London, and within twenty miles distant thereof, shall underwrite their several sums before the 20th day of March, 1641 ; and all within sixty miles of London, before the 1st day of April,

1642; and the rest of the kingdom, before the 1st day of May, 1642.

5. That the several sums to be underwritten shall be paid in at four payments, viz. one fourth part within ten days after such underwriting, and the other three parts, at three months, three months, and three months: all to be paid into the chamber of London.

6. That, for the better securing of the said several sums accordingly, every one that doth so underwrite shall at the time of his subscription pay down the twentieth part of the total sum that shall be by him then underwritten.

And in case that the residue of his first fourth part be not paid in to such person or persons as shall be appointed to receive the same within the ten days before limited, then such a party shall not only forfeit the twentieth part of the sum total, formerly deposited, but so much more of his first fourth payment to be added thereunto, as shall make up the one moiety of the said first payment. And if the same person shall fail in any other of the three payments, he shall then forfeit his entire first fourth part, and all the benefit of his subscription; which forfeiture shall accrue to the common benefit of the rest of the undertakers.

The lords and commons, upon due and mature deliberation of these propositions, have approved of them, and given their consent unto the same, and will become humble petitioners to his majesty for his royal approbation thereof; and that hereafter he will be pleased, upon the humble suit of both houses of parliament, to give his royal assent to such bills as they shall tender unto him for the settling of those propositions and all other things necessarily conducing thereunto.

By virtue of an order of the honourable house of commons, made on Monday the 7th of this present month of February, 1641; we (the committee appointed to receive the moneys given by the members of the house of commons, for the relief of the poor distressed people that are come out of Ireland) are to require you to send unto us, or any one of us, a certificate, what sums of money are collected within your parish, for the relief of the poor distressed people of Ireland, and to require you to bring in such sums of money as you have re-

ceived, to that committee; who are authorized by the house to receive the same.

Dated at Westminster, the 15th day of February, 1641.

The committee appointed by the house for the said collection, are, sir Edward Aiscough, knight; Francis Rowse, Henry Martin, William Wheeler, esquires.

To the minister and churchwardens of the parish of——.

His majesty's gracious answer and assent, declared unto both houses of parliament, February 24, 1641, was as followeth :

His majesty, being very glad to receive any proposition that may repair the calamity of his distressed kingdom of Ireland, especially when it may be without burden or imposition, and for the ease of his good subjects of this kingdom, hath graciously considered the overture made by both houses of parliament to that purpose, and returns this answer :

That as he hath offered, and is still ready, to venture his own royal person for the recovery of that kingdom, if his parliament shall advise him thereunto, so he will not deny to contribute any other assistance he can to that service, by parting with any profit or advantage of his own there : and therefore (relying upon the wisdom of his parliament) doth consent to every proposition now made to him, without taking time to examine, whether this course may not retard the reducing of that kingdom, by exasperating the rebels, and rendering them desperate of being received into grace, if they shall return to their obedience.

And his majesty will be ready to give his royal assent to all such bills as shall be tendered unto him by his parliament for the confirmation of every particular of this proposition.

Die Veneris, 25th Feb. 1641.

Ordered, by the lords in parliament, that the propositions concerning Ireland, and his majesty's gracious answer thereunto, together with the directions, shall be forthwith printed and published.

And for the better effecting of this work, the lords and commons have thought fit to publish these ensuing directions :

1. Whereas, according to the proportion of lands in the propositions mentioned, (being two millions and a half of acres,) the sums to be underwritten will not exceed one million of money ; it will be requisite that, together with the sums underwritten, the day and time of each subscription be likewise set down ; to the intent, that those who do underwrite before the million of money shall be made up, may not be excluded from the benefit of their respective subscriptions, in case they make payment of the respective sums according to the propositions.

Nevertheless, if any shall underwrite after the million of money shall be made up, they shall be admitted to the shares of such as (having underwritten to the million) shall fail of payment according to the propositions, or else (at their election) shall be forthwith repaid all such sums as they shall have paid in upon hope of taking benefit of the propositions.

2. The places to be appointed for the several underwritings, to be, for the cities of London and Westminster, and the counties of Surry and Middlesex, the chamber of London : for all other counties in England and Wales, the towns where the last assizes were kept. But any of those counties that shall desire to underwrite in London may be at liberty to do it there.

3. The persons to be employed in taking the underwritings and receiving the moneys for London and Westminster, Middlesex and Surry, are to be such as upon further consultation with the citizens of London shall be appointed ; and in all other counties, the sheriffs of the several counties respectively, who are to give acquittances for such sums as they shall receive.

4. That printed books of the propositions, and his majesty's answer thereunto, and of the instructions, shall be sent, and letters written from the speaker, to the several sheriffs of the said counties, who shall publish the books and letters at the next assizes, and shall then likewise give public notice of the times and places by them to be appointed, as

well for the several underwritings as for the payment of the sums that shall be underwritten : and for the better publishing of those books, the several citizens and burgesses of the house of commons shall forthwith send down several books and letters to the head officers of their cities and boroughs respectively.

5. That the several sheriffs shall, from week to week, send up to the chamber of London a true list of the names and sums subscribed, and of the time of the subscription.

6. For the better encouragement of such persons as shall be employed for the city of London and the parts adjoining, as likewise of the said sheriffs, and such other persons as shall be by them employed herein, it shall and may be lawful for the said sheriffs, and for the said persons appointed for the city of London respectively, to deduct, and retain to his or their use, after the rate of one penny in the pound, for their pains and charges, in receiving the said sums and in returning the same.

7. That, together with the printed propositions and letters from the speaker, paper-books, with titles prefixed, shall be sent down to the sheriffs of each county, in the beginning of which books, next under the titles, the knights, citizens, and burgesses respectively, that serve for the same, and who shall underwrite any sum, according to the said propositions, shall subscribe their names and sums in the first place.

An ordinance of both houses of parliament, for the ordering of the militia of the kingdom of England and dominion of Wales.

Whereas there hath been of late a most dangerous and desperate design upon the house of commons, which we have just cause to believe to be an effect of the bloody counsels of papists, and other ill-affected persons, who have already raised a rebellion in the kingdom of Ireland ; and, by reason of many discoveries, we cannot but fear they will proceed, not only to stir up the like rebellion and insurrections in this kingdom of England, but also to back them with forces from abroad :

For the safety, therefore, of his majesty's person, the parliament, and kingdom, in this time of imminent danger,

CHARLES REX.

To our trusty and right well-beloved counsellor Edward, lord Littleton, keeper of the great seal.

Right trusty and right well-beloved counsellor, we greet you well. Our will and pleasure is, that you deliver, to be read in the house of peers, this our answer to the desire from both houses concerning the militia; and for so doing this shall be your sufficient warrant. Given at our house at Greenwich, the 28th of February, 1641.

His majesty's answer to both houses of parliament, concerning the militia, February 28, 1641.

His majesty having, with his best care and understanding, perused and considered, that which was sent him from both houses, for the ordering of the militia, (presented unto him, to be made an ordinance of parliament, by the giving of his royal assent,) as he can by no means do it for the reasons hereafter mentioned, so he doth not conceive himself obliged, by any promise made in his answer of the 2nd of this month to the petition of both houses, to yield the same.

His majesty finds great cause to except against the preface, or introduction, to that order, which confesseth a most dangerous and desperate design upon the house of commons of late, supposed to be an effect of the bloody counsels of papists and other ill-affected persons; by which many may understand (looking upon other printed papers to that purpose) his coming in person to the house of commons on the 4th of January, which begot so unhappy a misunderstanding between him and his people, and for that though he believes it, upon the information since given him, to be an apparent breach of their privilege, and hath offered, and is ready, to repair the same for the future by any act shall be desired of his majesty, yet he must declare, and require to be believed, that he had no other design upon that house, or any member of it, than to require, as he did, the persons of those five gentlemen his majesty had the day before accused of high treason, and to declare that he meant to proceed against them legally and speedily; upon which he believed that house would have delivered them up. And his majesty calls the Almighty God to witness, that he was so far from any intention or thought

of force or violence, although that house had not delivered them according to his demand, or, in any case whatsoever, that he gave those his servants, and others who then waited on his majesty, express charge and command, that they should give no offence to any man ; nay, if they received any provocation or injury, that they should bear it without return : and his majesty neither saw or knew that any person of his train had any other weapons, but his pensioners and guards those with which they usually attend his person to parliament, and the other gentlemen, swords. And, therefore, his majesty doubts not but this parliament will be regardful of his honour herein ; that he shall not undergo any imputation by the rash or indiscreet expressions of any young men then in his train, or by any desperate words uttered by others, who might mingle with them without his consent or approbation.

For the persons nominated to be lieutenants of the several counties of England and Wales, his majesty is contented to allow that recommendation. Only concerning the city of London, and such other corporations as by ancient charters have granted unto them the power of the militia, his majesty doth not conceive that it can stand with justice or policy to alter their government in that particular.

And his majesty is willing forthwith to grant every of them (that of London and those other corporations excepted) such commissions as he hath done this parliament to some lord-lieutenants by your advice. But if that power be not thought enough, but that more shall be thought fit to be granted to these persons named than by the law is in the crown itself, his majesty holds it reasonable, that the same be, by some law, first vested in him, with power to transfer it to these persons ; which he will willingly do. And, whatever that power shall be, to avoid all future doubts and questions, his majesty desires it may be digested into an act of parliament rather than an ordinance, so that all his loving subjects may thereby particularly know both what they are to do and what they are to suffer for their neglect ; that there be the least latitude for his good subjects to suffer under any arbitrary power whatsoever.

As to the time desired for the continuance of the powers to be granted, his majesty giveth this answer, that he cannot

consent to divest himself of the just power which God and the laws of this kingdom have placed in him for the defence of his people, and to put it into the hands of others for any indefinite time. And, since the ground of this request from his parliament was, to secure their present fears and jealousies, that they might with safety apply themselves to the matter of his message of the 20th of January, his majesty hopeth that his grace to them since that time in yielding to so many of their desires, and in agreeing to the persons now recommended to him by his parliament, and the power before expressed to be placed in them, will wholly dispel those fears and jealousies, and assureth them, that, as his majesty hath now applied this unusual remedy to their doubts, so (if there shall be cause) he will continue the same to such time as shall be agreeable to the same care he now expresseth towards them.

And in this answer, his majesty is so far from receding from any thing he promised, or intended to grant, in his answer to the former petition, that his majesty hath hereby consented to all that was then asked of him by that petition concerning the militia of the kingdom, (except that of London and those other corporations,) which was to put the same into the hands of such persons as should be recommended unto him by both houses of parliament: and his majesty doubts not, but the parliament, upon well weighing the particulars of this his answer, will find the same more satisfactory to their ends, and the peace and welfare of all his good subjects, than the way proposed by this intended ordinance, to which, for these reasons, his majesty cannot consent.

And whereas his majesty observes, by the petition of both houses, presented to him by the earl of Portland, sir Thomas Heale, and sir William Savile, that in some places some persons begin already to intermeddle of themselves with the militia, his majesty expecteth that his parliament should examine the particulars thereof, it being a matter of high concernment and very great consequence.

And his majesty requireth, that if it shall appear to his parliament that any persons whatsoever have presumed to command the militia without lawful authority, they may be proceeded against according to law.

A copy of the petition of both houses of parliament concerning the militia, &c. Presented to his majesty at Theobalds, 1 Martii, 1641.

MOST GRACIOUS SOVEREIGN,

Your majesty's most loyal and obedient subjects, the lords and commons in parliament, do find their just apprehensions of sorrow and fear, in respect of the public dangers and miseries like to fall upon your majesty and the kingdom, to be much increased, upon the receipt of your unexpected denial of their most humble and necessary petition concerning the militia of the kingdom; especially grieving, that wicked and mischievous counsellors should still have that power with your majesty, as, in this time of imminent and approaching ruin, rather to incline your resolutions to that which is apt to further the accomplishment of the desires of the most malignant enemies of God's true religion, and of the peace and safety of yourself and your kingdom, than to the dutiful and faithful counsel of your parliament.

Wherefore they are enforced in all humility to protest, that, if your majesty shall persist in that denial, the dangers and distempers of the kingdom are such as will endure no longer delay: but, unless you shall be graciously pleased to assure them by these messengers, that you will speedily apply your royal assent to the satisfaction of their former desires, they shall be enforced, for the safety of your majesty and your kingdoms, to dispose of the militia by the authority of both houses, in such manner as hath been propounded to your majesty, and they resolve to do it accordingly.

They likewise most humbly beseech your majesty to believe, that the dangerous and desperate design upon the house of commons, mentioned in their preamble, was not inserted with any intention to cast the least aspersion upon your majesty, but therein they reflected upon that malignant party, of whose bloody and malicious practices they have had so often experience, and from which they can never be secure, unless your majesty will be pleased to put from you those wicked and unfaithful counsellors, who interpose their own corrupt and malicious designs betwixt your majesty's goodness and wisdom, and the prosperity and contentment of your

self and of your people : and that for the despatch of the great affairs of the kingdom, the safety of your person, the protection and comfort of your subjects, you will be pleased to continue your abode near to London and the parliament, and not to withdraw yourself to any the remoter parts ; which if your majesty should do, it must needs be a cause of great danger and distraction.

That your majesty will likewise be graciously pleased to continue the prince his highness in these parts, at St. James's, or any other of your houses near London, whereby the designs which the enemies of the religion and peace of this kingdom may have upon his person, and the jealousies and fears of your people, may be prevented.

And they beseech your majesty to be informed by them, that, by the laws of the kingdom, the power of raising, ordering, and disposing of the militia within any city, town, or other place, cannot be granted to any corporation by charter or otherwise, without the authority and consent of parliament : and that those parts of the kingdom which have put themselves in a posture of defence against the common danger, have therein done nothing but according to the declaration and direction of both houses, and what is justifiable by the laws of this kingdom.

All which their most humble counsel and desires, they pray your majesty to accept as the effect of that duty and allegiance which they owe unto you, and which will not suffer them to admit of any thoughts, intentions, or endeavours, but such as are necessary and advantageous for your majesty's greatness and honour, and the safety and prosperity of the kingdom, according to that trust and power which the laws have reposed in them.

*His majesty's answer to the petition of both houses presented
the 1st of March, 1641.*

I am so much amazed at this message, that I know not what to answer : you speak of jealousies and fears : lay your hands to your hearts, and ask yourselves whether I may not likewise be disturbed with fears and jealousies : and, if so, I assure you this message hath nothing lessened them.

For the militia, I thought so much of it before I sent that answer, and am so much assured that the answer is agreeable to what in justice or reason you can ask, or I in honour grant, that I shall not alter it in any point.

For my residence near you, I wish it might be so safe and honourable, that I had no cause to absent myself from Whitehall; ask yourselves whether I have not.

For my son, I shall take that care of him which shall justify me to God as a father, and to my dominions as a king.

To conclude, I assure you, upon my honour, that I have no thought but of peace and justice to my people, which I shall by all fair means seek to preserve and maintain, relying upon the goodness and providence of God for the preservation of myself and rights.

Divers questions upon his majesty's last answer, concerning the militia, resolved upon by the house of commons.

Resolved, &c. That this answer of his majesty is a denial to the desires of both houses of parliament concerning the militia.

Resolved, &c. That those that advised his majesty to give this answer are enemies to the state and mischievous projectors against the defence of the kingdom.

Resolved, &c. That this denial is of that dangerous consequence, that, if his majesty shall persist in it, it will hazard the peace and safety of all his kingdoms, unless some speedy remedy be applied by the wisdom and authority of both houses of parliament.

Resolved, &c. That such parts of this kingdom as have put themselves into a posture of defence against the common danger, have done nothing but what is justifiable, and is approved by the house.

Resolved, &c. That if his majesty shall remove into any remote parts from his parliament, it will be a great hazard to the kingdom, and a great prejudice to the proceedings of the parliament.

Resolved, &c. That this house hold it necessary, that his majesty may be desired, that the prince may come unto St.

James's, or to some other convenient place near about London, and there to continue.

Resolved, &c. That the lords be desired to join with this house in an humble request unto his majesty, that he will be pleased to reside near his parliament, that both houses may have a convenience of access unto him upon all occasions.

Resolved, &c. That the lords be moved to join with this house in some fit course of examination, to find who were the persons that gave his majesty this advice; that they may be removed from his majesty, and brought to condign punishment.

Resolved, &c. That no charter can be granted by the king to create a power in any corporation over the militia of that place without consent of parliament.

Resolved, &c. That the lords shall be moved to join with this house in these votes.

Resolved, &c. That the lords shall be desired to appoint a select committee, that may join with a committee of a proportionable number of this house; to consider and prepare what is fit to be done upon these votes, or upon any thing else that may arise upon this answer of his majesty concerning the militia and concerning the prince.

March 2.

Questions resolved upon by both houses of parliament, with an order for the speedy rigging of the navy, for the defence of the kingdom.

Resolved, &c. That the kingdom be forthwith put into a posture of defence, by authority of both houses, in such a way as is already agreed upon by both houses of parliament.

Resolved, &c. That the lords be desired to join with the house of commons in this vote.

Resolved, &c. That a committee shall be appointed to prepare a declaration upon these two heads, viz.

1. To lay down the just causes of the fears and jealousies given to these houses: and to clear these houses from any jealousies conceived against them.

2. And to consider of all matters that may arise upon this

message of his majesty, and to declare their opinions what is fit to be done thereupon.

Die Mercurii, 2 Martii.

The lords and commons in this present parliament assembled, having received advertisement of extraordinary preparations made by the neighbouring princes, both by land and sea; the intentions whereof have been so represented as to raise an apprehension in both houses, that the public honour, peace, and safety of his majesty and his kingdom cannot be secured, unless a timely course be taken for the putting of this kingdom into a condition of defence at sea as well as land: it is therefore ordered, by the lords and commons aforesaid, that the earl of Northumberland, lord-high-admiral of England, do forthwith give effectual direction and order, that all and every the ships belonging to his majesty's navy, which are fit for service, and not already abroad, nor designed for this summer's fleet, be with all speed rigged, and put in such a readiness as that they may soon be fitted for the sea; and that his lordship do also make known unto all the masters and owners of such ships as now are in or about any of the harbours of this kingdom, and may be of use for the public defence thereof, that it will be an acceptable service to the king and parliament, if they likewise will cause their ships to be rigged, and so far put in a readiness as they may be, at a short warning, set forth to sea, upon any emergent occasion: which will be a means of great security to his majesty and his dominions.

The declaration.

MAY IT PLEASE YOUR MAJESTY;

Although the expressions in your majesty's message, of the 2nd of this instant March, do give just cause of sorrow to us your faithful subjects, the lords and commons in parliament, yet it is not without some mixture of confidence and hope, considering they proceeded from the misapprehension of our actions and intentions, which having no ground of truth or reality, may, by your majesty's justice and wisdom, be re-

moved, when your majesty shall be fully informed, that those fears and jealousies of ours, which your majesty thinks to be causeless, and without any just ground, do necessarily and clearly arise from those dangers and distempers, into which the mischievous and evil counsels about you have brought this kingdom; and that those other fears and jealousies, by which your favour, your royal presence and confidence, have been withdrawn from your parliament, have no foundation or subsistence in any action, intention, or miscarriage of ours, but are merely grounded upon the falsehood and malice of those, who, for the supporting and fomenting their own wicked designs, against the religion and peace of the kingdom, do seek to deprive your majesty of the strength and affection of your people, them of your grace and protection, and thereby to subject both your royal person and the whole kingdom to ruin and destruction.

To satisfy your majesty's judgment and conscience in both these points, we desire to make a clear and free declaration of the causes of our fears and jealousies; which we offer to your majesty in these particulars:

1. That the design of altering religion, in this and in your other kingdoms, hath been potently carried on by those in greatest authority about you, for divers years together. The queen's agent at Rome, and the pope's agent or nuncio here, are not only evidences of this design, but have been great actors in it.

2. That the war with Scotland was procured to make way for this intent, and chiefly invited and fomented by the papists, and others popishly affected: whereof we have many evidences, and especially their free and general contribution to it.

3. That the rebellion in Ireland was framed and contrived here in England; and that the English papists should have risen about the same time, we have several testimonies and advertisements from Ireland; and that it is a common speech amongst the rebels: wherewith concur other evidences and observations of the suspicions, meetings, and consultations, the tumultuary and seditious carriage, of those of that religion, in divers parts of this kingdom, about the time of the breaking out of the Irish rebellion. The deposition of

O'Connelly,—the information of master Cole, minister,—the letter of Trestram Whitcombe,—the deposition of Thomas Crant,—and many others which we may produce, do all agree in this. The public declaration of the lords, gentlemen, and others of the pale, that they would join with the rebels, (whom they call *the Irish army*,) or any other, to recover unto his majesty his royal prerogative, wrested from him by the puritan faction in the houses of parliament in England, and to maintain the same against all others, as also to maintain episcopal jurisdiction, and the lawfulness thereof; these two being quarrels, upon which his majesty's late army in the north should have been incensed against us.

The great cause we have to doubt, that that late design, styled, *the queen's pious intention*, was for the alteration of religion in this kingdom; for the success whereof, the pope's nuncio, the count Rosetti, enjoined fasting and praying to be observed every week by the English papists; which appeared to us by one of the original letters directed by him to a priest in Lancashire.

The boldness of the Irish rebels in affirming they do nothing but by authority from the king: that they call themselves *the queen's army*: that the prey or booty which they take from the English they mark with the queen's mark: that their purpose was to come to England, after they had done in Ireland: and sundry other things of this kind, proved by O'Connelly, and divers others, especially in the forementioned letter from Trestram Whitcombe, the mayor of Kinsale, to his brother Benjamin Whitcombe, wherein there is this passage, "that many other strange speeches they utter about religion and our court of England, which he dares not commit to paper."

The manifold attempts to provoke your majesty's late army and the army of the Scots, and to raise a faction in the city of London and other parts of the kingdom: that those who have been actors in those businesses have had their dependence, their countenance, and encouragement from the court; witness the treason whereof master Jermin and others stand accused, who was transported beyond sea by warrant under your majesty's hand, after your majesty had given assurance to your parliament that your majesty had laid a strict com-

mand upon all your servants, that none of them should depart from court: and that dangerous petition, delivered to captain Leg by your majesty's own hand, accompanied with a direction, signed with *C. R.*

The false and scandalous accusation against the lord Kimbolton and the five members of the house of commons, tendered to the parliament by your majesty's own command,—endeavoured to be justified in the city by your own presence and persuasion, and to be put in execution upon their persons, by your majesty's demand of them, in the house of commons, in so terrible and violent a manner as far exceeded all former breaches of privileges of parliament, acted by your majesty, or any of your predecessors: and (whatsoever your own intentions were) divers bloody and desperate persons, which attended your majesty, discovered their affections and resolutions to have massacred and destroyed the members of that house, if the absence of those persons accused had not, by God's providence, stopt the giving of that word, which they expected, for the setting them upon that barbarous and bloody act:—the listing of so many officers, soldiers, and others,—putting them into pay and under command of colonels,—feasting and caressing them in an unusual manner at Whitehall;—thereby maintaining them in the violent assaults, and other injuries, which they offered to divers of your subjects coming that way in a lawful and peaceable manner:—the carrying them out of town; after which they were told by the lord Digby, that the king removed on purpose that they might not be trampled in the dirt:—and keeping them so long in pay, endeavouring to engage the gentlemen of the inns of court in the same course:—the plotting and designing of a perpetual guard about your majesty:—the labouring to infuse into your majesty's subjects an evil opinion of the parliament through the whole kingdom;—and other symptoms of a disposition of raising arms and dividing your people by a civil war; in which combustion Ireland must needs be lost, and this kingdom miserably wasted and consumed, if not wholly ruined and destroyed.

That, after a vote had passed in the house of commons, declaring that the lord Digby had appeared in a warlike manner at Kingston-upon-Thames, to the terror and afright

of your majesty's good subjects, and disturbance of the public peace of the kingdom, and that therefore the lords should be moved to require his attendance, he should, nevertheless, be of that credit with your majesty, as to be sent away by your own warrant to sir John Pennington to land him beyond the sea; from whence he vented his own traitorous conceptions, that your majesty should declare yourself, and retire to a place of strength in this kingdom, as if your majesty could not be safe among your people: and, withal, took that transcendent boldness, to write to the queen, offering to entertain correspondency with her majesty by ciphers, intimating some service which he might do in those parts, for which he desired your majesty's instructions; whereby, in probability, he intended the procuring of some foreign force, to strengthen your majesty in that condition into which he would have brought you: which false and malicious counsel and advice, we have great cause to doubt, made too deep an impression on your majesty, considering the course you are pleased to take, of absenting yourself from your parliament, and carrying the prince with you; which seems to express a purpose in your majesty to keep yourself in a readiness for the acting of it.

The manifold advertisements which we have had from Rome, Venice, Paris, and other parts, that they still expect that your majesty has some great design in hand for the altering of religion, the breaking the neck of your parliament; that you will yet find means to compass that design; that the pope's nuncio hath solicited the kings of France and Spain to lend your majesty four thousand men a piece, to help to maintain your royalty against the parliament. And this foreign force, as it is the most pernicious and malignant design of all the rest, so we hope it is, and shall always be, furthest from your majesty's thoughts; because no man can believe you will give up your people and kingdom to be spoiled by strangers, if you did not likewise intend to change both your own profession in religion and the public profession of the kingdom, that so you might still be more assured of those foreign states of the popish religion for your future support and defence.

These are some of the grounds of our fears and jealousies,

which made us so earnestly to implore your royal authority and protection for our defence and security, in all the ways of humility and submission: which being denied by your majesty, seduced by evil counsel, we do (with sorrow for the great and unavoidable misery and danger which thereby is like to fall upon your own person and your kingdoms) apply ourselves to the use of that power, for the security and defence of both, which, by the fundamental laws and constitutions of this kingdom, resides in us; yet still resolving to keep ourselves within the bounds of faithfulness and allegiance to your sacred person and your crown; so as to the second sort of jealousies and fears of us, expressed by your majesty, we shall give a shorter, but as true and as faithful an answer.

Whereas your majesty is pleased to say, that, for your residence near the parliament, you wish it might be so safe and honourable that you had no cause to absent yourself from Whitehall; this we take as the greatest breach of privilege of parliament that can be offered; as the heaviest misery to yourself, and imputation upon us that can be imagined; and the most mischievous effect of evil counsels. It roots up the strongest foundation of the safety and honour which your crown affords; it seems, as much as may be, to cast upon the parliament such a charge as is inconsistent with the nature of that great council, being the body whereof your majesty is the head: it strikes at the very being, both of king and parliament; depriving your majesty, in your own apprehension, of their fidelity, and them of your protection; which are the mutual bands and supports of government and subjection.

We have, according to your majesty's desire, laid our hands upon our hearts; we have asked ourselves, in the strictest examination of our consciences; we have searched our affections, our thoughts; considered our actions: and we find none that can give your majesty any just occasion to absent yourself from Whitehall and the parliament; but that you may, with more honour and safety, continue there than in any other place.

Your majesty lays a general tax upon us. If you will be graciously pleased to let us know the particulars, we shall

give a clear and satisfactory answer : but what hope can we have of ever giving your majesty satisfaction, when those particulars which you have been made believe were true, yet being produced and made known to us, appeared to be false ; and your majesty, notwithstanding, will neither punish nor produce the authors, but go on to contract new jealousies and fears, upon general and uncertain grounds, affording us no means or possibility of particular answer, to the clearing of ourselves : for proof whereof we beseech your majesty to consider these instances.

The speeches alleged to be spoken in a meeting of divers members of both houses at Kensington, concerning a purpose of restraining the queen and prince : which, after it was denied and disavowed, yet your majesty refused to name the authors, though humbly desired by both houses.

The report of articles framed against the queen's majesty, given out by some of near relation to the court : but, when it was publicly and constantly disclaimed, the credit seemed to be withdrawn from it. But the authors, being kept safe, will always be ready for exploits of the same kind, wherewith your majesty and the queen will be often troubled, if this course be taken to cherish and secure them in such wicked and malicious slanders.

The heavy charge and accusation of the lord Kimbolton, and the five members of the house of commons, who refused no trial or examination which might stand with the privilege of parliament : yet no authors, no witnesses, produced, against whom they may have reparation for the great injury and infamy cast upon them, notwithstanding three several petitions of both houses, and the authority of two acts of parliament vouched in the last of those petitions.

We beseech your majesty to consider in what state you are ; how easy and fair a way you have to happiness, honour, greatness, plenty, and security, if you will join with the parliament and your faithful subjects, in defence of the religion and public good of the kingdom. This is all we expect from you ; and for this we shall return to you our lives, fortunes, and uttermost endeavours, to support your majesty, your just sovereignty and power over us. But it is not words that can secure us in these our humble desires. We cannot but too

well and sorrowfully remember what gracious messages we had from you this summer, when, with your privy, the bringing up the army was in agitation. We cannot, but with the like affections, recall to our minds how, not two days before you gave directions for the above mentioned accusation, and your own coming to the commons' house, that house received from your majesty a gracious message, that you would always have care of their privileges as of your own prerogative, of the safety of their persons as of your own children. That which we expect—which will give us assurance that you have no thought but of peace and justice to your people—must be some real effect of your goodness to them, in granting those things which the present necessities of the kingdom do enforce us to desire: and, in the first place, that your majesty will be graciously pleased to put from you those wicked and mischievous counsellors which have caused all these dangers and distractions, and to continue your own residence, and the prince's, near London and the parliament: which, we hope, will be a happy beginning of contentment and confidence betwixt your majesty and your people, and be followed with many succeeding blessings of honour and greatness to your majesty, and of security and prosperity to them.

The additional reasons.

The lords and commons have commanded us to present unto your majesty this further addition to their former declaration:

That your majesty's return and continuance near the parliament is a matter, in their apprehension, of so great necessity and importance towards the preservation of your royal person and your kingdoms, that they cannot think they have discharged their duties, in the single expression of their desire, unless they add some further reasons to back it with:

I. Your majesty's absence will cause men to believe, that it is out of design to discourage the undertakers, and hinder the other provisions, for raising money for defence of Ireland.

II. It will very much hearten the rebels there, and disaffected persons in this kingdom, as being an evidence and effect of the jealousy and division betwixt your majesty and your people.

III. That it will much weaken and withdraw the affection of the subject from your majesty ; without which a prince is deprived of his chiefest strength and lustre, and left naked to the greatest dangers and miseries that can be imagined.

IV. That it will invite and encourage the enemies of our religion and the state, in foreign parts, to the attempting and acting of their evil designs and intentions towards us.

V. That it causeth a great interruption in the proceedings of parliament.

These considerations threaten so great danger to your majesty's person and to all your dominions, that, as your majesty's great council, they hold it necessary to represent to you this their faithful advice, that so, whatsoever followeth, they may be excused before God and man.

His majesty's speech to the committee, the 9th of March 1641, when they presented the declaration of both houses of parliament at Newmarket.

I am confident that you expect not I should give you a speedy answer to this strange and unexpected declaration ; and I am sorry (in the distraction of this kingdom) you should think this way of address to be more convenient than that proposed by my message, of the 20th of January last, to both houses.

As concerning the grounds of your fears and jealousies, I will take time to answer particularly, and doubt not but I shall do it to the satisfaction of all the world. God, in his good time, will, I hope, discover the secrets and bottoms of all plots and treasons ; and then I shall stand right in the eyes of all my people. In the mean time I must tell you, that I rather expected a vindication, for the imputation laid on me in master Pym's speech, than that any more general rumours and discourses should get credit with you.

For my fears and doubts, I did not think they should have been thought so groundless or trivial, while so many seditious pamphlets and sermons are looked upon, and so great tumults are remembered, unpunished, uninquired into. I still confess my fears, and call God to witness, that they are greater

for the true protestant profession, my people, and laws, than for my own rights or safety ; though I must tell you, I conceive that none of these are free from danger.

What would you have? Have I violated your laws? Have I denied to pass any one bill for the ease and security of my subjects? I do not ask you what you have done for me.

Have any of my people been transported with fears and apprehensions? I have offered as free and general a pardon as yourselves can devise. All this considered, there is a judgment from Heaven upon this nation, if these distractions continue.

God so deal with me and mine as all my thoughts and intentions are upright for the maintenance of the true protestant profession, and for the observation and preservation of the laws of this land : and I hope God will bless and assist those laws for my preservation.

As for the additional declaration, you are to expect an answer to it when you shall receive the answer to the declaration itself.

Some passages that happened the 9th of March between the king's majesty and the committee of both houses, when the declaration was delivered.

When his majesty heard that part of the declaration which mentioned master Jermin's transportation, his majesty interrupted the earl of Holland in reading, and said, "That's false;" which being afterwards touched upon again, his majesty then said, "'Tis a lie." And when he was informed that it related not to the date but the execution of the warrant, his majesty said, "It might have been better expressed then, and that it was a high thing to tax a king with breach of promise." As for this declaration, his majesty said, "I could not have believed the parliament would have sent me such a one, if I had not seen it brought by such persons of honour. I am sorry for the parliament ; but glad I have it : for by that I doubt not to satisfy my people ; though I am confident the greater part is so already."

Ye speak of ill counsels : but I am confident the parliament hath had worse informations than I have had counsels. His

majesty asking, what he had denied the parliament, the earl of Holland instanced that of the militia. His majesty replied, "That was no bill;" the earl of Holland then said, "It was a necessary request at this time;" and his majesty also then said, he had not denied it.

What passed the next day, when his majesty delivered his answer,

Which was read by the earl of Holland to the rest of the committee; and that being done, his lordship endeavoured to persuade his majesty to come near the parliament. Whereunto his majesty answered, "I would you had given me cause; but I am sure this declaration is not the way to it. And in all Aristotle's Rhetoricks there is no such argument of persuasion." The earl of Pembroke, thereupon, telling him that the parliament had humbly besought his majesty to come near them aforesaid, his majesty replied, he had learnt by our declaration that words were not sufficient. His majesty being then again moved, by the said earl of Pembroke, to express what he would have, said, he would whip a boy in Westminster school that could not tell that by his answer. And further said, they were much mistaken if they thought his answer of that a denial: and being also asked by the said earl of Pembroke whether the militia might not be granted, as was desired by the parliament, for a time, his majesty swore, "By God, not for an hour; you have asked that of me in this was never asked of a king, and with which I will not trust my wife and children."

His majesty said, "The business of Ireland will never be done in the way that you are in; four hundred will never do that work. It must be put into the hands of one. If I were trusted with it, I would pawn my head to end that work. And, though I am a beggar myself, yet," speaking with a strong asseveration, "I can find money for that."

His majesty's declaration to both houses of parliament, (which he likewise recommends to the consideration of all his loving subjects,) in answer to that presented to him at Newmarket, the 9th of March, 1641.

Though the declaration lately presented to us at New-

market, from both our houses of parliament, be of so strange a nature, in respect of what we expected, (after so many acts of grace and favour to our people,) and some expressions in it so different from the usual language to princes, that we might well take a very long time to consider it; yet the clearness and uprightness of our conscience to God, and love to our subjects, hath supplied us with a speedy answer, and our unalterable affections to our people prevailed with us to suppress that passion which might well enough become us upon such an invitation.

We have reconsidered our answer of the 1st of this month at Theobalds, which is urged to have given just cause of sorrow to our subjects. Whosoever looks over that message (which was in effect to tell us, that, if we would not join with them in an act which we conceived might prove prejudicial and dangerous to us and the whole kingdom, they would make a law without us, and impose it upon our people) will not think that sudden answer can be excepted to.

We have little encouragement to replies of this nature, when we are told of how little value our words are like to be with you, though they come accompanied with all the actions of love and justice, where there is room for actions to accompany them. Yet we cannot but disavow the having any such evil council or councillors about us, to our knowledge, as are mentioned; and if any such be discovered, we will leave them to the censure and judgment of our parliament. In the mean time, we could wish, that our own immediate actions, which we avow, and our own honour, might not be so roughly censured and wounded, under that common style of *evil councillors*.

For our faithful and zealous affection to the true protestant profession, and our resolution to concur with our parliament in any possible course for the propagation of it and the suppression of popery, we can say no more than we have already expressed in our declaration to all our loving subjects, published in January last, by the advice of our privy-council; in which we endeavoured to make as lively a confession of ourself in this point as we were able, being most assured that the constant practice of our life hath been answerable thereunto: and therefore we did rather expect a testimony and

acknowledgment of such our zeal and piety, than those expressions we meet with in this declaration of any design of altering religion in this kingdom. And we do (out of the innocency of our soul) wish that the judgments of Heaven may be manifested upon those who have or had any such design.

As for the Scots troubles, we had well thought that those unhappy differences had been wrapt up in perpetual silence by the act of oblivion; which, being solemnly passed in the parliaments of both kingdoms, stops our mouth from any other reply than to show our great dislike for reviving the memory thereof.

If the rebellion in Ireland (so odious to all Christians) seems to have been framed and maintained in England, or to have any countenance from hence, we conjure both our houses of parliament, and all our loving subjects whatsoever, to use all possible means to discover and find such out, that we may join in the most exemplary vengeance upon them that can be imagined: but we must think ourself highly and causelessly injured in our reputation, if any declaration, action, or expression of the Irish rebels, any letter from count Rosetti to the papists for fasting and praying, or from Trestram Whitcombe, of strange speeches uttered in Ireland, shall beget any jealousy or misapprehension in our subjects of our justice, piety, and affection, it being evident to all understandings, that those mischievous and wicked rebels are not so capable of great advantage, [by any other circumstance,] as by having their false discourses so far believed as to raise fears and jealousies to the distraction of this kingdom, the only way to their security: and we cannot express a deeper sense of the suffering of our poor protestant subjects in that kingdom than we have done in our often messages to both houses, by which we have offered, and are still ready, to venture our royal person for their redemption; well knowing, that, as we are (in our own interest) more concerned in them, so we are to make a strict account to Almighty God for any neglect of our duty or their preservation.

For the manifold attempts to provoke our late army, and the army of the Scots, and to raise a faction in the city of London, and other parts of the kingdom: if it be said, as re-

lating to us, we cannot, without great indignation, suffer ourself to be reproached to have intended the least force or threatening to our parliament, as the being privy to the bringing up of the army would imply : whereas, we call God to witness, we never had any such thought, or knew of any such resolution, concerning our late army.

For the petition showed to us by captain Legge, we well remember the same, and the occasion of that conference. Captain Legge being lately come out of the north, and repairing to us at Whitehall, we asked him of the state of our army, and (after some relation made of it) he told us, that the commanders and officers of the army had a mind to petition the parliament, as others of our people had done, and showed us the copy of a petition : which we read ; and finding it to be very humble, desiring the parliament might receive no interruption in the reformation of the church and state to the model of queen Elizabeth's days ; we told him, we saw no harm in it : whereupon he replied, that he believed all the officers of the army would like it ; only he thought sir Jacob Ashley would be unwilling to sign it, out of fear that it might displease us. We then read the petition over again ; and then, observing nothing in matter or form, as we conceived, could possibly give just cause of offence, we delivered it to him again, bidding him give it to sir Jacob Ashley, for whose satisfaction we had written *C. R.* upon it, to testify our approbation. And we wish that the petition might be seen and published ; and then, we believe, it will appear no dangerous one, nor a just ground for the least jealousy or misapprehension.

For master Jermin, it is well known that he was gone from Whitehall before we received the desire of both houses for the restraint of our servants : neither returned he thither, or passed over, by any warrant granted by us after that time.

For the breach of privilege in the accusation of the lord Kimbolton, and the five members of the house of commons, we thought we had given so ample satisfaction in our several messages to that purpose, that it should be no more pressed against us, being confident, if the breach of privilege had been greater than hath been ever before offered, our acknowledg-

ment and retractation hath been greater than ever king hath given ;—besides the not examining how many of our privileges have been invaded in defence and vindication of the other. And therefore we hoped our true and earnest protestation in our answer to your order concerning the militia would so far have satisfied you of our intentions there, that you would no more have entertained any imagination of any other design than we there expressed.

But why the listing of so many officers, and entertaining them at Whitehall, should be misconstrued, we much marvel, when it is notoriously known the tumults at Westminster were so great, and their demeanours so scandalous and seditious, that we had good cause to suppose our own person, and those of our wife and children, to be in apparent danger, and therefore we had great reason to appoint a guard about us, and to accept the dutiful tender of the services of any of our loving subjects ; which was all we did to the gentlemen of the inns of court.

For the lord Digby, we assure you, in the word of a king, that he had our warrant to pass the seas, and had left our court, before we ever heard of the vote of the house of commons, or had any cause to imagine that his absence would have been excepted against.

What your advertisements are from Rome, Venice, Paris, and other parts,—or what the pope's nuncio solicits the kings of France or Spain to do,—or from what persons such informations come to you,—or how the credit and reputation of such persons have been sifted and examined,—we know not ; but are confident no sober honest man in our kingdoms can believe that we are so desperate or so senseless, to entertain such designs as would not only bury this our kingdom in sudden distraction and ruin, but our own name and posterity in perpetual scorn and infamy. And therefore we could have wished, that, in matters of so high and tender a nature, (where-with the minds of our good subjects must needs be startled,) all the expressions were so plain and easy, that nothing might stick with them with reflection upon us, since you thought fit to publish it at all.

And having now dealt thus plainly and freely with you by way of answer to the particular grounds of your fears, we hope

(upon a due consideration and weighing both together) you will not find the grounds to be of that moment to beget, or longer to continue, a misunderstanding betwixt us, or force you to apply yourselves to the use of any other power than what the law hath given you; the which we always intend shall be the measure of our own power, and expect it shall be the rule of our subjects' obedience.

Concerning our fears and jealousies, as we had no intention of accusing you, so are we sure no words spoken by us (on the sudden) at Theobalds will bear that interpretation. We said, for our residence near you, we wished it might be so safe and honourable that we had no cause to absent ourselves from Whitehall: and how this can be a breach of privilege of parliament we cannot understand. We explained our meaning in our answer at Newmarket, at the presentation of this declaration, concerning the printed seditious pamphlets and sermons, and the great tumults at Westminster: and we must appeal to you and all the world, whether we might not justly suppose ourselves in danger of either. And, if we were now at Whitehall, what security have we, that the like shall not happen again, especially if any delinquents of that nature have been apprehended by the ministers of justice, and been rescued by the people, and so as yet escaped unpunished? If you have not been informed of the seditious words used in and the circumstances of those tumults, and will appoint some way for the examination of them, we will require some of our learned counsel to attend with such evidence as may satisfy you. And till that be done, or some other course taken for our security, you cannot (with reason) wonder that we intend not to be where we most desire to be.

And can there yet want evidence of our hearty and importunate desire to join with our parliament and all our faithful subjects in defence of the religion and public good of the kingdom? Have we given you no other earnest but words, to secure you of those desires? the very remonstrance of the house of commons (published in November last) of the state of the kingdom, allows us a more real testimony of our good affections than words: that remonstrance valued our acts of grace and justice at so high a rate, that it declared the kingdom to be then a gainer, though it had charged itself by bills

of subsidies and poll money, with the levy of 600,000*l.*, besides the contracting of a debt to our Scots subjects of 220,000*l.*

Are the bills for the triennial parliament, for relinquishing our title of imposing upon merchandise, and power of pressing of soldiers, for the taking away the starchamber and high commission courts, for the regulating the council-table, but words? Are the bills for the forests, the stannary courts, the clerk of the market, and the taking away the votes of bishops out of the lords' house, but words? Lastly, what greater earnest of our trust and reliance on our parliament could or can we give, than the passing of the bill for the continuance of this present parliament? the length of which, we hope, will never alter the nature of parliaments and the constitution of this kingdom, or invite our subjects so much to abuse our confidence, as to esteem any thing fit for this parliament to do, which were not, if it were in our power to dissolve it to morrow. And, after all these and many other acts of grace on our part, (that we might be sure of a perfect reconciliation betwixt us and all our subjects,) we have offered, and are still ready to grant, a free and general pardon, as ample as yourselves shall think fit. Now if these be not real expressions of the affections of our soul for the public good of our kingdom, we must confess that we want skill to manifest them.

To conclude, (although we think our answer already full to that point,) concerning our return to London: we are willing to declare, that we look upon it as a matter of so great weight, as with reference to the affairs of this kingdom, and to our own inclinations and desires, that if all we can say or do can raise a mutual confidence, (the only way, with God's blessing, to make us all happy,) and, by your encouragement, the laws of the land, and the government of the city of London, may recover some life for our security, we will overtake your desires, and be as soon with you as you can wish. And in the mean time we will be sure, that neither the business of Ireland, or any other advantage for this kingdom, shall suffer through our default or by our absence; we being so far from repenting the acts of our justice and grace, which we have already performed to our people, that we shall, with

the same alacrity, be still ready to add such new ones as may best advance the peace, honour, and prosperity of this nation.

A letter sent from both houses of parliament to all the high-sheriffs of this kingdom concerning the late propositions for Ireland.

MASTER SHERIFF,

The lords and commons, being deeply sensible of the unspeakable calamities which his majesty's good subjects of the kingdom of Ireland do now suffer, by the barbarous cruelties and massacres of the rebels there, and conceiving these printed propositions herewith sent, (being ratified by his majesty's royal assent, and the unanimous approbation of both houses of parliament,) do undoubtedly tend to the speedy and effectual reducing of those bloody rebels, the propagating of the protestant religion, the augmenting of the greatness and the revenue of the crown of England, and the establishing of an happy and firm peace for the future in his majesty's three kingdoms; and all this to be effected (by God's gracious assistance) without the general charge of the subject, and to the great advantage of those that shall underwrite, have thought fit to require you to publish these printed propositions and instructions at this Lent assizes, to the intent that all his majesty's good people within your county may take notice of the benefit which they may receive by underwriting in due time; and that so many of them then present and willing to subscribe, may give up a note of their names, sums, and dates of their subscriptions, to you, to be entered in the paper-book mentioned in the printed instructions, which is forthwith to be sent unto you. And you are further directed hereby, at this Lent assizes, (if they be not past,) by the advice and assistance of the justices of peace for your county then present, to appoint certain days and places most convenient for this service; when and where yourself, and the justices of peace within each division, will be present, to receive the names, sums, and times of subscription, of such of his majesty's well-affected subjects within your county as shall not have subscribed at this Lent assizes, their names,

sums, and times of subscription, to be likewise entered in the paper-book. And if this letter come to your hands after the assizes, then to appoint such times and places as may best speed this service. And further, yourself, and the justices of peace, the ministers of God's word, and persons of quality within your county, are hereby earnestly desired to show themselves active and exemplary in advancing this great and pious work ; it is a service tending so much to the glory of God, the honour and profit of his majesty, and the peace and tranquillity of his three kingdoms for the future. And you are likewise to inform those that shall underwrite, that the act of parliament (which his majesty hath promised to pass for the settling of those two millions and a half of acres) is already in hand, and that the lands are to be divided so indifferently by lot amongst them that underwrite, that no one man whatsoever shall have more respect or advantage than other in division. And, lastly, you are to give a speedy account to the parliament of your proceedings herein, and of those that do really advance this service. Thus, not doubting of your utmost care and diligence herein, we bid you heartily farewell.

Several votes resolved upon by both houses of parliament concerning the securing of the kingdom of England and dominion of Wales.

Resolved, upon the question, by the lords in parliament, *nemine contradicente*,

That the ordinance of the lords and commons in parliament, for the safety and defence of the kingdom of England and dominion of Wales, is not any way against the oath of allegiance.

Resolved, &c. That the several commissions granted under the great seal to the lieutenants of the several counties are illegal and void.

Resolved, &c. That whosoever shall execute any power over the militia of this kingdom and dominion of Wales by colour of any commission of lieutenancy, without consent of both houses of parliament, shall be accounted a disturber of the peace of the kingdom.

Die Martis, 15 Martii, 1641.

Resolved, &c. That the kingdom hath been of late, and still is, in so evident and imminent danger, both from enemies abroad and a popish and discontented party at home, that there is an urgent and inevitable necessity of putting his majesty's subjects into a posture of defence for the safeguard both of his majesty and his people.

That the lords and commons, fully apprehending this danger, and being sensible of their own duty to provide a suitable prevention, have, in several petitions, addressed themselves to his majesty, for the ordering and disposing of the militia of the kingdom, in such a way as was agreed upon by the wisdom of both houses, to be most effectual and proper for the present exigences of the kingdom, yet could not obtain it; but his majesty did several times refuse to give his royal assent thereunto.

Ordered, That the house of peers agrees with the house of commons in this proposition.

Resolved, &c. That in this case of extreme danger, and of his majesty's refusal, the ordinance agreed on by both houses for the militia doth oblige the people, and ought to be obeyed, by the fundamental laws of this kingdom.

Resolved, &c. That these shall be the heads of a declaration.

Resolved, &c. That such persons as shall be nominated deputy-lieutenants, and approved of by both houses, shall receive the commands of both houses to take upon them to execute their offices.

Ordered, by the lords and commons in parliament, that these several votes shall be forthwith printed and published.

JOHN BROWN, Cler. Parliament.

Huntington, 15 Martii, 1641.

His majesty's message to both houses of parliament upon his removal to the city of York.

His majesty, being now in his remove to his city of York, where he intends to make his residence for some time, thinks fit to send this message to both houses of parliament:

That he doth very earnestly desire that they will use all possible industry in expediting the business of Ireland, in which they shall find so cheerful a concurrence by his majesty, that no inconvenience shall happen to that service by his absence, he having all that passion for the reducing of that kingdom which he hath expressed in his former messages, and being unable by words to manifest more affection to it than he hath endeavoured to do by those messages (having likewise done all such acts as he hath been moved unto by his parliament). Therefore, if the misfortunes and calamities of his poor protestant subjects there shall grow upon them, (though his majesty shall be deeply concerned in and sensible of their sufferings,) he shall wash his hands before all the world from the least imputation of slackness in that most necessary and pious work.

And that his majesty may leave no way unattempted which may beget a good understanding between him and his parliament, he thinks it necessary to declare, that, as he hath been so tender of the privileges of parliament that he hath been ready and forward to retract any act of his own, which, he hath been informed, hath trenched upon their privileges, so he expects an equal tenderness in them of his majesty's known and unquestionable privileges, (which are the privileges of the kingdom,) amongst which, he is assured, it is a fundamental one, that his subjects cannot be obliged to obey any act, order, or injunction to which his majesty hath not given his consent: and therefore he thinks it necessary to publish, that he expects, and hereby requires, obedience from all his loving subjects, to the laws established, and that they presume not, upon any pretence of order or ordinance (to which his majesty is no party) concerning the militia, or any other thing, to do or execute what is not warranted by those laws, his majesty being resolved to keep the laws himself, and to require obedience to them from all his subjects.

And his majesty once more recommends to his parliament the substance of his message of the 20th of January last, that they compose and digest, with all speed, such acts as they shall think fit for the present and future establishment of their privileges, the free and quiet enjoying their estates and fortunes, the liberties of their persons, the security of the true

religion now professed in the church of England ; the maintaining his majesty's regal and just authority, and settling his revenue ; his majesty being most desirous to take all fitting and just ways which may beget a happy understanding between him and his parliament, in which he conceives his greatest power and riches doth consist.

The votes of both houses of parliament concerning the king's last message sent from Huntington to both houses on Wednesday the 16th of March, 1641.

Resolved, &c. That this house shall insist upon their former votes concerning the militia.

Resolved, &c. That the king's absence, so far remote from his parliament, is not only an obstruction, but may be a destruction to the affairs of Ireland.

Resolved, &c. That when the lords and commons in parliament (which is the supreme court of judicature in the kingdom) shall declare what the law of the land is, to have this not only questioned and controverted, but contradicted, and a command that it should not be obeyed, is a high breach of the privilege of parliament.

Resolved, &c. That a committee shall be appointed by this house to join with a committee of the lords to inquire where this message was framed.

Resolved, &c. That those persons that advise his majesty to absent himself from the parliament are enemies to the peace of this kingdom, and justly to be suspected to be favourers of the rebellion in Ireland.

Resolved, &c. That those that advised his majesty to this message are enemies to the peace of this kingdom, and justly to be suspected to be favourers of the rebellion in Ireland.

A new declaration of both houses of parliament, sent to the king's most excellent majesty, the 16th of March, upon his removal from Huntington to York.

MAY IT PLEASE YOUR MAJESTY,

Your majesty's most humble and faithful subjects, the knights, citizens, and burgesses of the commons' house of

parliament, having considered your majesty's reply to their answer, touching such persons as have been licensed by your majesty to pass into Ireland, do most humbly beseech your majesty to believe, that they shall always with thankfulness and joy receive from your majesty any satisfactory answer to their just requests ; and as they hope they shall find in your majesty a readiness to rectify those things which have been done to their prejudice, so will they be careful to remove all apprehensions of their actions or speeches which may seem to cast any dishonour upon your majesty.

For your majesty's better satisfaction concerning the positive affirmation, that many of the chief commanders now in the head of the rebels (after the ports were stopped by order of both houses) have been suffered to pass by your majesty's immediate warrant ; may it please your majesty to consider, that herein they have affirmed nothing but what they had cause to believe was true ; the grounds whereof they humbly present to your majesty.

The first ground is this, that both houses of parliament (having, upon your majesty's commendation, taken into their care the suppression of the rebellion of Ireland) had reason to be especially watchful over the ports, because the rebels, abounding in numbers of men for the most part ignorant of the use of their arms, could by no means become dangerous or formidable to this kingdom, but by the access of soldiers and commanders, wherewith they were like to be furnished either out of France or Flanders ; from both which places the passage into Ireland is speedy and easy through this kingdom. And thereof they could not choose but be very sensible of whatsoever gave liberty or opportunity to such a passage, as of a very hurtful and dangerous grievance : for prevention whereof they did, upon the 7th of November, agree upon an order, and restrain all passage into Ireland, but upon due and strict examination by such persons as were trusted to make those licenses.

A second ground, that the other licenses granted to the lord Delvin, and then acknowledged by your majesty's answer, were such (both in regard of the persons to whom they were granted, and the extent of the words in which they were granted) as were apt to produce such an effect as is men-

tioned in that positive affirmation, that is, to open a way for the passage of papists, and other dangerous persons, to join with the rebels, and to be heads and commanders amongst them : which is thus proved.

The warrant granted to colonel Butler, since the order of restraint by both houses of parliament, did extend to all ports of England and Scotland, and did give free passage to himself and to his company, without any qualification of persons, or limitation of number : and this colonel was himself a papist, had a brother in rebellion, and general of the rebels in Munster, was expected and very much desired by those rebels ; who, for a long time, kept a regiment to be commanded by him, as we have been credibly informed.

The second was granted to a son of the lord Nettersfield ; which lord had four sons in England since the rebellion, one of which is settled in England, three others intended to pass into Ireland, and were all dangerous persons, being papists, bred in the wars, in the service of the king of Spain ; and one of them lately become a Jesuit.

The third, to the lord Delvin, extends to himself and four persons more, unnamed, that one of those who should have passed with him is taken to be a Jesuit ; and another, who calls himself *Ploncket*, seems to be a man of some breeding and quality, and like to have been serviceable to the rebels, and to have done mischief, if he had gone over.

The fourth, to sir George Hamilton, and three more, unnamed. This gentleman is likewise a professed papist, and may be doubted to be of the party of the rebels, one of that name being mentioned in the instructions of Sempill the Jesuit, amongst divers other dangerous persons of the popish party in Scotland and Ireland ; which instructions were found in a ship stayed in Cornwall, which was going into Ireland with divers Jesuits, soldiers, and others, for the encouragement of the rebels.

A third ground is this, that by virtue and authority of these licenses several persons have passed over which are now in actual rebellion, and joined with the rebels ; and some have command amongst them ; which is thus proved :

One captain Sutton did, by virtue and authority of your majesty's license, embark at Whitehaven, in the company of

colonel Butler, and was driven back by foul weather ; whereupon the colonel stayed, and went to Chester ; but that captain reembarked himself in the same bottom, and passed into Ireland, where he went into rebellion with the lord Dunsany, and hath since obtained the place of a colonel amongst the rebels, as we are very credibly informed.

Two of the sons of the lord Nettersfield, one a Jesuit and the other a soldier, passed into Ireland in December last ; both of them by virtue of your majesty's warrant, as we have cause to believe ; for that they went both together in one ship, and the license, acknowledged to be granted by your warrant, must needs be granted to one of them, seeing the other brother, who lately endeavoured to pass over, did produce no license, and, upon his examination, doth absolutely deny that he had any.

A fourth ground (which we humbly offer to your majesty) is this, that your majesty cannot be assured that no other did pass upon your license, as your majesty doth conceive, and is pleased to express in your answer, and that we had great cause to believe that divers others had passed over by your warrant besides the persons afore-mentioned ; and that for these reasons :

1. Because we received such a general information, that divers, now in the head of the rebels, were passed by your majesty's license, which (being true in part, and easy to be effected, in regard of the nature and extent of the warrants, and probable to be attempted, in regard of the subtlety and vigilancy of that party to make use of all advantages,) seemed to deserve credit ; which we should not have given to it, if it had been a naked information without such circumstances.

2. Because we had concurring advertisements, from Ireland and Chester, that divers priests, Jesuits, and popish commanders, had passed over, and were landed there ; and particularly some of colonel Butler's company ; and that the officers of the ports had kept no entry of the names of these persons or of the warrants by which they were transported.

These, we hope, will be sufficient to persuade your majesty to believe, that, as we had some cause to give credit to the said informations, so we had no intention to make any ill use of them to your majesty's dishonour, but did impute the

blame to your ministers, who might have been more careful to have informed your majesty of the quality of those persons named in your licenses, and so to have limited them that they might not have extended to others, as they did, how many and dangerous soever.

And they pray your majesty to rest assured that they shall always be tender of your honour and reputation with your good subjects; and for this cause have made this true declaration of the full state of this matter, that they may think no otherwise of it than the truth: and in all things shall labour to establish a good understanding and confidence betwixt your majesty and your people; which they heartily desire and pray for, as the chiefest means of preserving the honour, safety, and prosperity of your majesty and your kingdom.

His majesty's answer to a message sent to him by the house of commons concerning licenses granted by him to persons to go into Ireland.

His majesty hath seen and considered the message presented to him by the lord Compton and master Baynton, the 19th of March, 1641, at York, touching such persons as have been licensed by his majesty to pass into Ireland.

Though he will not insist upon what little reason they had to suspect that some ill-affected persons had passed into Ireland, under colour of his majesty's license, (inferences, slender proofs to ground belief upon,) yet he must needs avow, that, for any thing that is yet declared, he cannot see any ground why master Pym should so boldly affirm before both houses of parliament, that, since the stop upon the ports by both houses against all Irish papists, many of the commanders now in the head of the rebels have been suffered to pass by his majesty's immediate warrant; for as yet there is not any particular person named that is now so much as in rebellion, (much less in the head of the rebels,) to whom his majesty hath given license.

And therefore, according to his majesty's reply upon that subject, his majesty expects that his house of commons publish such a declaration whereby this mistaking may be cleared:

MAY.

K K

that so all the world may see his majesty's caution in giving of passes; and likewise, that his ministers have not abused his majesty's trust by any surreptitious warrants.

And lastly, his majesty expects, that henceforth there be more wariness used before such public aspersions be laid, unless the grounds be beforehand better warranted by sufficient proofs.

THE END.

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